



PLANNING COMMISSION AGENDA
PLANNING COMMISSION MEETING OF: NOVEMBER 6, 2003

CALL TO ORDER: COMMISSIONERS' BRIEFING, 5:53 P.M. in Council Chambers of City Hall, 400 Stewart Avenue, Las Vegas, Nevada

ATTENDANCE:

PRESENT: CHAIRMAN RICHARD TRUESDELL, MEMBERS BYRON GOYNES, STEVEN EVANS, LAURA McSWAIN, TODD NIGRO AND LEO DAVENPORT

STAFF PRESENT: ROBERT GENZER, DIRECTOR OF PLANNING AND DEVELOPMENT DEPARTMENT, MARGO WHEELER - PLANNING & DEVELOPMENT DEPT., DAVID CLAPSADDLE - PLANNING & DEVELOPMENT DEPT., GARY LEOBOLD - PLANNING & DEVELOPMENT DEPT., BART ANDERSON - PUBLIC WORKS, YONGYAO LOU - PUBLIC WORKS, GINA VENGLASS - PUBLIC WORKS, BRYAN SCOTT - CITY ATTORNEY'S OFFICE, DIANA DAVIS - CITY CLERK'S OFFICE, DEENY ARAUJO - CITY CLERK'S OFFICE

MINUTES:

DAVID CLAPSADDLE, Planning and Development Department, summarized the following items:

Item 5 [EOT-3126], Item 6 [EOT-3127] and Item 7 [EOT-3230] are on the Consent Agenda for Extensions of Time. MR. CLAPSADDLE suggested pulling these items off of the Consent Agenda because of staff's recommendation for Denial. He explained that back in August the Planning Commission approved an extension of time for a special use permit for auto repair on the subject site. Subsequently, the City Council granted the extension of time.

Item 22 [ZON-3119] and Item 23 [SDR-3235]: MR. CLAPSADDLE explained that the Planning Commission previously recommended denial of the General Plan to Lower Density Residential. The General Plan is being held at the City Council level in order for the site development plan and the zoning request to catch up and allow all three applications to be heard at the same time. He noted that the revised plan now calls for R-1 with 34 lots. DEPUTY CITY ATTORNEY BRYAN SCOTT clarified that denial of the General Plan Amendment was based on disapproval of the site plan mainly because it contained too many units and the open space was inadequate. He stated that the Commission could move forward with the current applications based on the revised site plan and could recommend either approval or disapproval. He added that there would be no obligation to deny either the zoning request or the site development plan because of its previous denial recommendation of the General Plan Amendment.

PLANNING COMMISSION MEETING OF NOVEMBER 6, 2003
Briefing

MINUTES – Continued:

Item 24 [SUP-2859], related to the Desert Dodge application, was held in abeyance several times. At the last meeting, the applicant requested the item be held in abeyance to the 11/20/2003 Planning Commission meeting; however, it wound up being put on the agenda for 11/6/2003. MR. CLAPSADDLE stated that the applicant was asked to attend the meeting and to provide a status report.

CONDITION CHANGES:

Item 12 [SDR-2635]: Amend Condition 14 as follows: The developer of this site shall move the existing concrete jersey barriers, currently installed on Cliff Shadows Parkway south of Peaceful Dawn, to Lone Mountain Road east of the entrance of this development after the half-street improvements adjacent to this site have been constructed.

Item 44 [SDR-3108]: Staff recommended deletion of Condition 4.

Item 47 [SDR-3139]: Staff recommended deletion of Condition 3.

Item 2 [TMP-3141]: Staff recommended modification to Condition 7. GINA VENGLASS, Public Works Department, stated the applicant is aware of the change.

Item 28 [SDR-2952]: BART ANDERSON, Public Works Department, explained that the applicant proposes a driveway access to Charleston Boulevard. The proposal does not meet the standards of the code; therefore, staff recommended a condition that if approved, will require alteration of the building design. He noted that the applicant desired to work with staff rather than hold the application in abeyance.

MISCELLANEOUS

With regard to Item 13 [GPA-3043], Item 14 [ZON-3044], Item 15 [VAR-3083], and Item 16 [SDR-3045], applicant, GEORGE GEKAKIS, and Item 17 [GPA-3066], Item 18 [ZON-3071], Item 19 [SUP-3073] and Item 20 [SDR-3079], applicant, D.R. HORTON, MR. CLAPSADDLE explained that these items should be forwarded to the 11/19/2003 City Council meeting because of the error in notification.

MEETING ADJOURNED AT 5:55 p.m.

PLANNING COMMISSION AGENDA
PLANNING COMMISSION MEETING OF: NOVEMBER 6, 2003

ALL ITEMS ON THIS AGENDA ARE SCHEDULED FOR ACTION UNLESS SPECIFICALLY NOTED OTHERWISE.

THESE PROCEEDINGS ARE BEING PRESENTED LIVE ON KCLV, CABLE CHANNEL 2. THE PLANNING COMMISSION MEETING, AS WELL AS ALL OTHER KCLV PROGRAMMING, CAN BE VIEWED ON THE CITY'S INTERNET AT www.kclv.tv. THE PROCEEDINGS WILL BE REBROADCAST ON KCLV CHANNEL 2 AND THE WEB SATURDAY AT 10:00 AM, THE FOLLOWING MONDAY AT MIDNIGHT AND TUESDAY AT 5:00 PM.

PLEDGE OF ALLEGIANCE was led by CHAIRMAN TRUESELL.

CALL TO ORDER: 6:00 P.M. in Council Chambers of City Hall, 400 Stewart Avenue, Las Vegas, Nevada

ANNOUNCEMENT RE: COMPLIANCE WITH OPEN MEETING LAW

MINUTES:

PRESENT: CHAIRMAN RICHARD TRUESDELL, MEMBERS BYRON GOYNES, STEVEN EVANS, LAURA McSWAIN, TODD NIGRO AND LEO DAVENPORT

STAFF PRESENT: ROBERT GENZER, DIRECTOR OF PLANNING AND DEVELOPMENT DEPARTMENT, MARGO WHEELER - PLANNING & DEVELOPMENT DEPT., DAVID CLAPSADDLE - PLANNING & DEVELOPMENT DEPT., GARY LEOBOLD - PLANNING & DEVELOPMENT DEPT., BART ANDERSON - PUBLIC WORKS, YONGYAO LOU - PUBLIC WORKS, GINA VENGLASS - PUBLIC WORKS, BRYAN SCOTT - CITY ATTORNEY'S OFFICE, DIANA DAVIS - CITY CLERK'S OFFICE, DEENY ARAUJO - CITY CLERK'S OFFICE

(6:00)

AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT
PLANNING COMMISSION MEETING OF: NOVEMBER 6, 2003

SUBJECT:

Approval of the minutes of the October 9, 2003 Planning Commission Meeting

MOTION:

NIGRO - APPROVED - UNANIMOUS

MINUTES:

There was no discussion.

(6:10)

1-40



**AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT
PLANNING COMMISSION MEETING OF: NOVEMBER 6, 2003**

CHAIRMAN TRUESDELL announced the subdivision items could be appealed by the applicant or aggrieved person or a review requested by a member of the City Council.

ACTIONS:

ALL ACTIONS ON TENTATIVE AND FINAL SUBDIVISION MAPS ARE FINAL UNLESS AN APPEAL IS FILED BY THE APPLICANT OR AN AGGRIEVED PERSON, OR A REVIEW IS REQUESTED BY A MEMBER OF THE CITY COUNCIL WITHIN SEVEN DAYS OF THE DATE NOTICE IS SENT TO THE APPLICANT. UNLESS OTHERWISE INDICATED DURING THE MEETING, ALL OTHER ACTIONS BY THE PLANNING COMMISSION ARE RECOMMENDATIONS TO THE CITY COUNCIL, IN WHICH CASE ALL FINAL DECISIONS, CONDITIONS, STIPULATIONS OR LIMITATIONS ARE MADE BY THE CITY COUNCIL.

CHAIRMAN TRUESDELL read the statement on the order of the items and the time limitations on persons wishing to be heard on an item.

ANY ITEM LISTED IN THIS AGENDA MAY BE TAKEN OUT OF ORDER IF SO REQUESTED BY THE APPLICANT, STAFF, OR A MEMBER OF THE PLANNING COMMISSION. THE PLANNING COMMISSION MAY IMPOSE TIME LIMITATIONS, AS NECESSARY, ON THOSE PERSONS WISHING TO BE HEARD ON ANY AGENDAED ITEM.



**AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT
PLANNING COMMISSION MEETING OF: NOVEMBER 6, 2003**

CHAIRMAN TRUESDELL noted the Rules of Conduct.

PLANNING COMMISSION MEETING RULES OF CONDUCT.

1. Staff will present each item to the Commission in order as shown on the agenda, along with a recommendation and suggested conditions of approval, if appropriate.
2. The applicant is asked to be at the public microphone during the staff presentation. When the staff presentation is complete, the applicant should state his name and address, and indicate whether or not he accepts staff's conditions of approval.
3. If areas of concern are known in advance, or if the applicant does not accept staff's conditions, the applicant or his representative is invited to make a brief presentation of his item with emphasis on any items of concern.
4. Persons other than the applicant who support the request are invited to make brief statements after the applicant. If more than one supporter is present, comments should not be repetitive. A representative is welcome to speak and indicate that he speaks for others in the audience who share his view.
5. Objectors to the item will be heard after the applicant and any other supporters. All who wish to speak will be heard, but in the interest of time it is suggested that representatives be selected who can summarize the views of any groups of interested parties.
6. After all objectors' input has been received, the applicant will be invited to respond to any new issues raised.
7. Following the applicant's response, the public hearing will be closed; Commissioners will discuss the item amongst themselves, ask any questions they feel are appropriate, and proceed to a motion and decision on the matter.
8. Letters, petitions, photographs and other submissions to the Commission will be retained for the record. Large maps, models and other materials may be displayed to the Commission from the microphone area, but need not be handed in for the record unless requested by the Commission.

As a courtesy, we would also ask those not speaking to be seated and not interrupt the speaker or the Commission. We appreciate your courtesy and hope you will help us make your visit with the Commission a good and fair experience.

AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT

PLANNING COMMISSION MEETING OF: NOVEMBER 6, 2003

DEPARTMENT: PLANNING & DEVELOPMENT

DIRECTOR: ROBERT S. GENZER

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CONSENT

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DISCUSSION

SUBJECT:

TMP-3106 - BARCELONA @ THE PASEOS - CARTER & BURGESS, INC. ON BEHALF OF THE HOWARD HUGHES CORPORATION - Request for a Tentative Map FOR A 91-LOT SINGLE-FAMILY RESIDENTIAL SUBDIVISION on 23.03 acres located between Alta Drive and Paseo Breeze Drive, approximately 600 feet west of Desert Foothills Drive (APN: a portion of 137-22-000-010), P-C (Planned Community) Zone, Ward 2 (McDonald).

P.C.: FINAL ACTION

PROTESTS RECEIVED BEFORE:

**Planning Commission Mtg.
City Council Meeting**

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APPROVALS RECEIVED BEFORE:

**Planning Commission Mtg.
City Council Meeting**

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RECOMMENDATION:

Staff recommends APPROVAL.

BACKUP DOCUMENTATION:

1. Location Map
2. Conditions For This Application
3. Staff Report

MOTION:

NIGRO- APPROVED Items 1 through 4 and Item 8 subject to conditions – UNANIMOUS with McSWAIN abstaining on Items 2 and 3 as her firm is presently doing work for a company owned by Pulte.

This is Final Action.

MINUTES:

CHAIRMAN TRUESDELL stated this is a Consent item.

(6:23 –6:25)

1-420

CONDITIONS:

Planning and Development

1. Approval of the Tentative Map shall be for no more than two (2) years. If a Final Map is not recorded on all or a portion of the area embraced by the Tentative Map within two (2) years of the approval of the Tentative Map, a new Tentative Map must be filed.

PLANNING COMMISSION MEETING OF NOVEMBER 6, 2003

Planning and Development Department

Item 1 – TMP-3106

CONDITIONS – Continued:

2. All development shall conform to the Conditions of Approval for Master Development Plan Review (SV-0018-01), Minor Modification (MOD-2994), and the Summerlin Development Standards.
3. Street names must be provided in accordance with the City's Street Naming Regulations.
4. All development is subject to the conditions of City Departments and State Subdivision Statutes.
5. A fully operational fire protection system, including fire apparatus roads, fire hydrants and water supply, shall be installed and shall be functioning prior to construction of any combustible structures.

Public Works

6. If not already constructed or guaranteed by the master developer, construct Alta Drive and Paseo Breeze Drive adjacent to this site and provide a paved legal access to this site prior to occupancy of any units within this subdivision.
7. The Final Map for Summerlin Village 23A shall record prior to the recordation of a Final Map for this site for legal access.
8. Provide public sewer easements for all public sewers not located within existing public street right-of-way prior to the issuance of any permits as required by the Department of Public Works. Improvement Drawings submitted to the City for review shall not be approved for construction until all required public sewer easements necessary to connect this site to the existing public sewer system have been granted to the City.
9. If not already constructed at time of development, construct the full width of the proposed entrance street at Paseo Breeze Drive concurrent with development of this site and obtain easement rights as appropriate for the southeastern half prior to the recordation of a Final Map for this site. Alternatively, if public streets are proposed, the entrance must terminate with a cul-de-sac meeting current City Standards concurrent with development of this site.
10. The design and layout of all onsite private circulation and access drives shall meet the approval of the Department of Fire Services.

PLANNING COMMISSION MEETING OF NOVEMBER 6, 2003
Planning and Development Department
Item 1 – TMP-3106

CONDITIONS – Continued:

11. A Drainage Plan and Technical Drainage Study must be submitted to and approved by the Department of Public Works prior to the issuance of any building or grading permits, submittal of any construction drawings or the recordation of a Map subdividing this site, whichever may occur first. Provide and improve all drainageways recommended in the approved drainage plan/study. The developer of this site shall be responsible to construct such neighborhood or local drainage facility improvements as are recommended by the City of Las Vegas Neighborhood Drainage Studies and approved Drainage Plan/Study concurrent with development of this site. In lieu of constructing improvements, in whole or in part, the developer may agree to contribute monies for the construction of neighborhood or local drainage improvements, the amount of such monies shall be determined by the approved Drainage Plan/Study and shall be contributed prior to the issuance of any building or grading permits, or the recordation of a Map subdividing this site, whichever may occur first, if allowed by the City Engineer.
12. Site development to comply with all applicable conditions of approval for the Summerlin Village 23A Tentative Map (TM-0006-02) and all other subsequent site-related actions.
13. The approval of all Public Works related improvements shown on this Tentative Map is in concept only. Specific design and construction details relating to size, type and/or alignment of public improvements, including but not limited to street, sewer and drainage improvements, shall be resolved prior to approval of the construction plans by the City. No deviations from adopted City Standards shall be allowed unless specific written approval for such is received from the City Engineer prior to the recordation of a Final Map or the approval of subdivision-related construction plans, whichever may occur first.

AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT

PLANNING COMMISSION MEETING OF: NOVEMBER 6, 2003

DEPARTMENT: PLANNING & DEVELOPMENT

DIRECTOR: ROBERT S. GENZER

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CONSENT

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DISCUSSION

SUBJECT:

TMP-3141 - SILVERSTONE RANCH PARCEL 5 - PULTE HOMES ON BEHALF OF PN II, INC. - Request for a Tentative Map FOR A 90-LOT SINGLE-FAMILY RESIDENTIAL SUBDIVISION on 11.08 acres adjacent to the southwest corner of Monte Viso Drive and North Rainbow Boulevard (APN: 125-10-712-008), R-PD3 (Residential Planned Development - 3 Units Per Acre), Ward 6 (Mack).

P.C.: FINAL ACTION

PROTESTS RECEIVED BEFORE:

**Planning Commission Mtg.
City Council Meeting**

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APPROVALS RECEIVED BEFORE:

**Planning Commission Mtg.
City Council Meeting**

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RECOMMENDATION:

Staff recommends APPROVAL.

BACKUP DOCUMENTATION:

1. Location Map
2. Conditions For This Application
3. Staff Report

MOTION:

NIGRO– APPROVED Items 1 through 4 and Item 8 subject to conditions and amending Item 2, Condition 7 as follows:

2. *The design and location of proposed access drives shall meet the approval of the Traffic Engineering Representative in Land Development.*

– UNANIMOUS with McSWAIN abstaining on Items 2 and 3 as her firm is presently doing work for a company owned by Pulte.

This is Final Action.

MINUTES:

CHAIRMAN TRUESDELL stated this is a Consent item.

VALERIE POWERS, 7251 West Charleston Boulevard, appeared on behalf of the applicant and concurred with staff recommendations and the amendment to Condition 7.

(6:23 –6:25)

PLANNING COMMISSION MEETING OF NOVEMBER 6, 2003
Planning and Development Department
Item 2 – TMP-3141

CONDITIONS:

Planning and Development

1. Approval of the Tentative Map shall be for no more than two (2) years. If a Final Map is not recorded on all or a portion of the area embraced by the Tentative Map within two (2) years of the approval of the Tentative Map, a new Tentative Map must be filed.
2. Site development to comply with all applicable conditions of approval for Rezoning Case Z-0075-91, Site Development Plan Review Z0075-91(13), the Mountain Spa Development Agreement as amended (DA-0001-91), and all other site-related actions.
3. Prior to submittal for a Final Map Technical Review or for review of Civil Improvement plans, whichever occurs first, a revised Tentative Map depicting a non-expired, signed engineer seal on each sheet shall be approved by the Planning and Development Department and Public Works Department staff.
4. Street names must be provided in accordance with the City's Street Naming Regulations.
5. All development is subject to the conditions of City Departments and State Subdivision Statutes.
6. A fully operational fire protection system, including fire apparatus roads, fire hydrants and water supply, shall be installed and shall be functioning prior to construction of any combustible structures.

Public Works

7. Meet with the Traffic Engineering Representative in Land Development for assistance in redesigning the proposed driveway layout prior to the submittal of any construction plans or the issuance of any permits, whichever may occur first. Gated access drives if proposed shall be designed, located and constructed in accordance with Standard Drawing #222A.
8. A Homeowner's Association shall be established to maintain all perimeter walls, private roadways, landscaping and common areas created with this development. All landscaping shall be situated and maintained so as to not create sight visibility obstructions for vehicular traffic at all development access drives and abutting street intersections.
9. Public drainage easements must be common lots to be privately maintained by a homeowner's association or maintenance association for all public drainage not located within existing public street right-of-way.

10. The design and layout of all onsite private circulation and access drives shall meet the approval of the Department of Fire Services prior to the issuance of any permits.

PLANNING COMMISSION MEETING OF NOVEMBER 6, 2003
Planning and Development Department
Item 2 – TMP-3141

CONDITIONS – Continued:

11. A Drainage Plan and Technical Drainage Study must be submitted to and approved by the Department of Public Works prior to the issuance of any building or grading permits, submittal of any construction drawings or the recordation of a Final Map for this site, whichever may occur first. Provide and improve all drainageways recommended in the approved drainage plan/study. The developer of this site shall be responsible to construct such neighborhood or local drainage facility improvements as are recommended by the approved Drainage Plan/Study concurrent with development of this site. In lieu of constructing improvements, in whole or in part, the developer may agree to contribute monies for the construction of neighborhood or local drainage improvements, the amount of such monies shall be determined by the approved Drainage Plan/Study and shall be contributed prior to the issuance of any building or grading permits, or the recordation of a Final Map, whichever may occur first, if allowed by the City Engineer.
12. Provide public sewer easements for all public sewers not located within existing public street right-of-way prior to the issuance of any permits as required by the Department of Public Works. Improvement Drawings submitted to the City for review shall not be approved for construction until all required public sewer easements necessary to connect this site to the existing public sewer system have been granted to the City.
13. Site development to comply with all applicable conditions of approval for the Mountain Spa Tentative Map, the Mountain Spa Traffic Impact Analysis, Z-0075-91(13), the Mountain Spa Development Agreement and all other applicable site related actions.
14. The approval of all Public Works related improvements shown on this Tentative Map is in concept only. Specific design and construction details relating to size, type and/or alignment of public improvements, including but not limited to street, sewer and drainage improvements, shall be resolved prior to approval of the construction plans by the City. No deviations from adopted City Standards shall be allowed unless specific written approval for such is received from the City Engineer prior to the recordation of a Final Map or the approval of subdivision-related construction plans, whichever may occur first.

AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT

PLANNING COMMISSION MEETING OF: NOVEMBER 6, 2003

DEPARTMENT: PLANNING & DEVELOPMENT

DIRECTOR: ROBERT S. GENZER

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CONSENT

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DISCUSSION

SUBJECT:

TMP-3142 - SILVERSTONE RANCH PARCEL 6N AND 6S - PULTE HOMES ON BEHALF OF PN II, INC. - Request for a Tentative Map FOR A 186-LOT SINGLE-FAMILY RESIDENTIAL SUBDIVISION on 33.16 acres adjacent to the northwest corner of Monte Viso Drive and North Rainbow Boulevard (APN: 125-10-611-005), R-PD3 (Residential Planned Development - 3 Units Per Acre), Ward 6 (Mack)

P.C.: FINAL ACTION

PROTESTS RECEIVED BEFORE:

**Planning Commission Mtg.
City Council Meeting**

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APPROVALS RECEIVED BEFORE:

**Planning Commission Mtg.
City Council Meeting**

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RECOMMENDATION:

Staff recommends APPROVAL.

BACKUP DOCUMENTATION:

1. Location Map
2. Conditions For This Application
3. Staff Report

MOTION:

NIGRO- APPROVED Items 1 through 4 and Item 8 subject to conditions – UNANIMOUS with McSWAIN abstaining on Items 2 and 3 as her firm is presently doing work for a company owned by Pulte.

This is Final Action.

MINUTES:

CHAIRMAN TRUESDELL stated this is a Consent item.

(6:23 –6:25)

1-420

CONDITIONS:

Planning and Development

1. Approval of the Tentative Map shall be for no more than two (2) years. If a Final Map is not recorded on all or a portion of the area embraced by the Tentative Map within two (2) years of the approval of the Tentative Map, a new Tentative Map must be filed.

PLANNING COMMISSION MEETING OF NOVEMBER 6, 2003

Planning and Development Department

Item 3 – TMP-3142

CONDITIONS – Continued:

2. Site development to comply with all applicable conditions of approval for Rezoning Case Z-0075-91, Site Development Plan Review Z0075-91(13), the Mountain Spa Development Agreement as amended (DA-0001-91), and all other site-related actions.
3. Prior to submittal for a Final Map Technical Review or for review of Civil Improvement plans, whichever occurs first, a revised Tentative Map depicting a non-expired, signed engineer seal on each sheet shall be approved by the Planning and Development Department and Public Works Department staff.
4. Street names must be provided in accordance with the City's Street Naming Regulations.
5. All development is subject to the conditions of City Departments and State Subdivision Statutes.
6. A fully operational fire protection system, including fire apparatus roads, fire hydrants and water supply, shall be installed and shall be functioning prior to construction of any combustible structures.

Public Works

7. A Homeowner's Association shall be established to maintain all perimeter walls, private roadways, landscaping and common areas created with this development. All landscaping shall be situated and maintained so as to not create sight visibility obstructions for vehicular traffic at all development access drives and abutting street intersections.
8. Provide public sewer easements for all public sewers not located within existing public street right-of-way prior to the issuance of any permits as required by the Department of Public Works. Improvement Drawings submitted to the City for review shall not be approved for construction until all required public sewer easements necessary to connect this site to the existing public sewer system have been granted to the City.

PLANNING COMMISSION MEETING OF NOVEMBER 6, 2003

Planning and Development Department

Item 3 – TMP-3142

CONDITIONS – Continued:

9. A Drainage Plan and Technical Drainage Study must be submitted to and approved by the Department of Public Works prior to the issuance of any building or grading permits, submittal of any construction drawings or the recordation of a Final Map for this site, whichever may occur first. Provide and improve all drainageways recommended in the approved drainage plan/study. The developer of this site shall be responsible to construct such neighborhood or local drainage facility improvements as are recommended by the approved Drainage Plan/Study concurrent with development of this site. In lieu of constructing improvements, in whole or in part, the developer may agree to contribute monies for the construction of neighborhood or local drainage improvements, the amount of such monies shall be determined by the approved Drainage Plan/Study and shall be contributed prior to the issuance of any building or grading permits, or the recordation of a Final Map, whichever may occur first, if allowed by the City Engineer.
10. All public drainage easements not located within existing public street right-of-way must be common lots to be privately maintained by a homeowner's association or maintenance association.
11. The curvature radii and the elbow knuckles as accepted by the City Engineer are allowed to be incorporated into the civil drawings and Final Map.
12. The design and layout of all onsite private circulation and access drives shall meet the approval of the Department of Fire Services prior to the issuance of any permits.
13. Site development to comply with all applicable conditions of approval for the Mountain Spa Tentative Map, the Mountain Spa Traffic Impact Analysis, Z-0075-91(13), the Mountain Spa Development Agreement and all other applicable site related actions.
14. The approval of all Public Works related improvements shown on this Tentative Map is in concept only. Specific design and construction details relating to size, type and/or alignment of improvements, including but not limited to street, sewer and drainage improvements, shall be resolved prior to approval of the construction plans by the City. No deviations from adopted City Standards shall be allowed unless specific written approval for such is received from the City Engineer prior to the recordation of a Final Map or the approval of subdivision-related construction plans, whichever may occur first.

AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT

PLANNING COMMISSION MEETING OF: NOVEMBER 6, 2003

DEPARTMENT: PLANNING & DEVELOPMENT

DIRECTOR: ROBERT S. GENZER

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CONSENT

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DISCUSSION

SUBJECT:

EOT-3096 - ST. GEORGE ROMANIAN ORTHODOX CHURCH - Request for an Extension of Time of an approved Special Use Permit (U-0045-01) FOR A PROPOSED 6,000 SQUARE FOOT CHURCH, HOUSE OF WORSHIP WITH A 7,000 SQUARE FOOT RECREATION HALL on 2.59 acres located on the east side of Redrock Street approximately 330 feet north of Del Rey Avenue (APN: 163-01-102-010), U (Undeveloped) Zone [L (Low Density Residential) General Plan Designation], Ward 1 (Moncrief).

IF APPROVED: C.C.: 12/03/03

IF DENIED: P.C.: FINAL ACTION (Unless appealed within 10 days)

PROTESTS RECEIVED BEFORE:

**Planning Commission Mtg.
City Council Meeting**

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APPROVALS RECEIVED BEFORE:

**Planning Commission Mtg.
City Council Meeting**

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RECOMMENDATION:

Staff recommends APPROVAL.

BACKUP DOCUMENTATION:

1. Location Map
2. Conditions For This Application
3. Staff Report

MOTION:

NIGRO- APPROVED Items 1 through 4 and Item 8 subject to conditions – **UNANIMOUS** with McSWAIN abstaining on Items 2 and 3 as her firm is presently doing work for a company owned by Pulte.

To be heard by the City Council on 12/3/2003.

MINUTES:

CHAIRMAN TRUESDELL stated this is a Consent item.

(6:23 –6:25)

1-420

CONDITIONS:

Planning and Development

1. This Reinstatement and Extension of Time will expire on October 3, 2005 unless another Extension of Time is approved by the City Council.

PLANNING COMMISSION MEETING OF NOVEMBER 6, 2003
Planning and Development Department
Item 4 – EOT-3096

CONDITIONS – Continued:

2. Conformance to the conditions of approval for Special Use Permit (U-0045-01) and all other subsequent site related actions as required by the Planning and Development Department and Department of Public Works.

AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT

PLANNING COMMISSION MEETING OF: NOVEMBER 6, 2003

DEPARTMENT: PLANNING & DEVELOPMENT

DIRECTOR: ROBERT S. GENZER

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CONSENT

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DISCUSSION

SUBJECT:

EOT-3126 - ECKELEY M. KEACH ON BEHALF OF ECKELEY M. KEACH, ET AL AND JOSEPH BRAVO, ET AL - Request for an Extension of Time for an approved Special Use Permit (U-0041-01) WHICH ALLOWED A PROPOSED NEW AND USED BOAT & TRAILER DEALERSHIP on the southeast corner of Charleston Boulevard and Lindell Road (APN: 163-01-501-001 and 002), U (Undeveloped) Zone [GC (General Commercial) General Plan Designation] under Resolution of Intent to C-2 (General Commercial), Ward 1 (Moncrief).

IF APPROVED: C.C.: 12/03/03

IF DENIED: P.C.: FINAL ACTION (Unless appealed within 10 days)

PROTESTS RECEIVED BEFORE:

**Planning Commission Mtg.
City Council Meeting**

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APPROVALS RECEIVED BEFORE:

**Planning Commission Mtg.
City Council Meeting**

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RECOMMENDATION:

Staff recommends DENIAL.

BACKUP DOCUMENTATION:

1. Location Map
2. Conditions For This Application
3. Staff Report

MOTION:

NIGRO- APPROVED subject to conditions – UNANIMOUS with McSWAIN abstaining as her brother lives in close proximity to the subject site.

To be heard by the City Council on 12/03/2003

MINUTES:

CHAIRMAN TRUESDELL stated this is a Consent item.

DAVID CLAPSADDLE, Planning and Development Department, explained that staff recommended denial of all three applications because it did not feel the transition to C-2 was appropriate inasmuch as the adjacent commercial sites are all C-1. Additionally, staff determined that all of the special use permits are too intense for the use for this particular piece of property. He remarked that the City

Council, on August 6, 2003, granted an extension of time for the minor auto repair garage. He added that that particular use requires C-2 zoning.

PLANNING COMMISSION MEETING OF NOVEMBER 6, 2003
Planning and Development Department
Item 5 – EOT-3126

MINUTES – Continued:

RICHARD SCHOFF, 520 South Fourth Street, appeared on behalf of DAVID CHESNOFF and ECKLEY KEECH, the applicants. He explained that at the time the applicants appeared before the Planning Commission, everyone understood all three of the special uses were being applied for extensions of time. He stated that the applicants met with COUNCILMAN McDONALD and discussed the requested extensions. At the time the paperwork was submitted, the applicants were under the impression that the extensions would apply to all three uses. They soon discovered that despite receiving approval from both the Planning Commission and the City Council, only approval for the extension of time for the minor repair/service bay was granted. MR. SCHOFF concluded that he believes that is the reason for all three uses being placed on the Consent Agenda.

COMMISSIONER EVANS remarked that if all three uses have previously been approved, would the extensions of time therefore be routine? DEPUTY CITY ATTORNEY BRYAN SCOTT clarified that if the use permits were not utilized for a certain period of time, they would expire. He added that a motion for approval would be based on the determination that the applicant has a good reason for asking for the extensions to get the project done.

NOTE: All discussion for Item 5 [EOT-3126], Item 6 [EOT-3127], and Item 7 [3230] was held under Item 5 [EOT-3126].

(6:26 – 6:32)

1-509

CONDITIONS:

Planning and Development

1. This Extension of Time shall expire on May 16, 2005 unless it is exercised or another Extension of Time is approved by the City Council.
2. Conformance to the conditions of approval for Special Use Permit (U-0041-01) and all site-related actions as required by the Planning and Development Department and Department of Public Works.

AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT

PLANNING COMMISSION MEETING OF: NOVEMBER 6, 2003

DEPARTMENT: PLANNING & DEVELOPMENT

DIRECTOR: ROBERT S. GENZER

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CONSENT

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DISCUSSION

SUBJECT:

EOT-3127 - ECKELEY M. KEACH ON BEHALF OF ECKELEY M. KEACH, ET AL AND JOSEPH BRAVO, ET AL - Request for an Extension of Time for an approved Special Use Permit (U-0042-01) WHICH ALLOWED A PROPOSED USED MOTOR VEHICLE SALES adjacent to the southeast corner of Charleston Boulevard and Lindell Road (APN: 163-01-501-001 and 002), U (Undeveloped) Zone [GC (General Commercial) General Plan Designation], under Resolution of Intent to C-2 (General Commercial) Zone, Ward 1 (Moncrief).

IF APPROVED: C.C.: 12/03/03

IF DENIED: P.C.: FINAL ACTION (Unless appealed within 10 days)

PROTESTS RECEIVED BEFORE:

Planning Commission Mtg.
City Council Meeting

0

APPROVALS RECEIVED BEFORE:

Planning Commission Mtg.
City Council Meeting

0

RECOMMENDATION:

Staff recommends DENIAL.

BACKUP DOCUMENTATION:

1. Location Map
2. Conditions For This Application
3. Staff Report

MOTION:

NIGRO- APPROVED subject to conditions – **UNANIMOUS** with McSWAIN abstaining as her brother lives in close proximity to the subject site.

To be heard by the City Council on 12/03/2003

MINUTES:

CHAIRMAN TRUESDELL stated this is a Consent item.

NOTE: All discussion for Item 5 [EOT-3126], Item 6 [EOT-3127], and Item 7 [3230] was held under Item 5 [EOT-3126].

(6:26 – 6:32)

1-509

PLANNING COMMISSION MEETING OF NOVEMBER 6, 2003
Planning and Development Department
Item 6 – EOT-3127

CONDITIONS:

Planning and Development

1. This Extension of Time shall expire on May 16, 2005 unless it is exercised or another Extension of Time is approved by the City Council.
2. Conformance to the conditions of approval for Special Use Permit (U-0042-01) and all site-related actions as required by the Planning and Development Department and Department of Public Works.

AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT

PLANNING COMMISSION MEETING OF: NOVEMBER 6, 2003

DEPARTMENT: PLANNING & DEVELOPMENT

DIRECTOR: ROBERT S. GENZER

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CONSENT

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DISCUSSION

SUBJECT:

EOT-3230 - ECKELEY M. KEACH ON BEHALF OF ECKELEY M. KEACH, ET AL AND JOSEPH BRAVO, ET AL - Request for an Extension of Time for an approved Rezoning (Z-0014-01) FROM: U (Undeveloped) Zone [GC (General Commercial) General Plan Designation] TO: C-2 (General Commercial) and of an approved Site Development Plan Review [Z-0014-01(1)] FOR AN 11,400 SQUARE FOOT COMMERCIAL BUILDING on 4.62 acres located at the southeast corner of Charleston Boulevard and Lindell Road (APN: 163-01-501-001 and 002), Ward 1 (Moncrief).

C.C.: 12/03/03

PROTESTS RECEIVED BEFORE:

Planning Commission Mtg.

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City Council Meeting

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APPROVALS RECEIVED BEFORE:

Planning Commission Mtg.

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City Council Meeting

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RECOMMENDATION:

Staff recommends DENIAL.

BACKUP DOCUMENTATION:

1. Location Map
2. Conditions For This Application
3. Staff Report

MOTION:

NIGRO- APPROVED subject to conditions – UNANIMOUS with McSWAIN abstaining as her brother lives in close proximity to the subject site.

To be heard by the City Council on 12/03/2003

MINUTES:

CHAIRMAN TRUESDELL stated this is a Consent item.

NOTE: All discussion for Item 5 [EOT-3126], Item 6 [EOT-3127], and Item 7 [3230] was held under Item 5 [EOT-3126].

(6:26 – 6:32)

PLANNING COMMISSION MEETING OF NOVEMBER 6, 2003
Planning and Development Department
Item 7 – EOT-3230

CONDITIONS:

Planning and Development

1. . This Extension of Time shall expire on May 16, 2005 unless it is exercised or another Extension of Time is approved by the City Council.
2. Conformance to the conditions of approval for Rezoning (Z-0014-01), Site Development Plan Review [Z-0014-01(1)] and all site-related actions as required by the Planning and Development Department and Department of Public Works.

AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT

PLANNING COMMISSION MEETING OF: NOVEMBER 6, 2003

DEPARTMENT: PLANNING & DEVELOPMENT

DIRECTOR: ROBERT S. GENZER

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CONSENT

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DISCUSSION

SUBJECT:

ANX-3103 - COKE MAGGIE, LIMITED LIABILITY COMPANY - Petition to Annex property generally located on the southwest corner of Horse Drive and Coke Street, containing approximately 4.8 acres, APN: 125-09-702-001 and 002, Ward 6 (Mack).

THIS ITEM WILL BE FORWARDED TO CITY COUNCIL IN ORDINANCE FORM

PROTESTS RECEIVED BEFORE:

**Planning Commission Mtg.
City Council Meeting**

0

APPROVALS RECEIVED BEFORE:

**Planning Commission Mtg.
City Council Meeting**

0

RECOMMENDATION:

Staff recommends APPROVAL.

BACKUP DOCUMENTATION:

1. Location Map
2. Conditions For This Application (Not Applicable)
3. Staff Report

MOTION:

NIGRO- APPROVED Items 1 through 4 and Item 8 subject to conditions – **UNANIMOUS** with McSWAIN abstaining on Items 2 and 3 as her firm is presently doing work for a company owned by Pulte.

MINUTES:

CHAIRMAN TRUESDELL stated this is a Consent item.

(6:23 –6:25)

1-420

AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT

PLANNING COMMISSION MEETING OF: NOVEMBER 6, 2003

DEPARTMENT: PLANNING & DEVELOPMENT

DIRECTOR: ROBERT S. GENZER

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CONSENT

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DISCUSSION

SUBJECT:

ABEYANCE - GPA-2633 - COTTONWOOD CREEK APARTMENTS, LIMITED LIABILITY COMPANY - Request to amend a portion of the Centennial Hills Sector Plan FROM: PCD (Planned Community Development) TO: MLA (Medium-Low Attached Density Residential) on the southeast corner of Lone Mountain Road and Cliff Shadows Parkway (APN: 137-01-101-006, 007, and 008), Ward 4 (Brown).

C.C.: 12/03/03

PROTESTS RECEIVED BEFORE:

Planning Commission Mtg.
City Council Meeting

44

APPROVALS RECEIVED BEFORE:

Planning Commission Mtg.
City Council Meeting

0

RECOMMENDATION:

Staff recommends APPROVAL.

BACKUP DOCUMENTATION:

1. Location Map
2. Conditions For This Application (Not Applicable)
3. Staff Report

MOTION:

McSWAIN – APPROVED– UNANIMOUS

To be heard by the City Council on 11/19/2003.

MINUTES:

CHAIRMAN TRUESDELL declared the Public Hearing open

DAVID CLAPSADDLE, Planning and Development Department, explained that at a previous meeting, the Planning Commission instructed the applicant to provide staff with additional information pertaining to the grading of the site and the composition of the proposed wall along Peaceful Dawn Avenue. MR. CLAPSADDLE stated that the project is comprised of step-downs, not only of the buildings but also includes the floor plans. He noted that the developer also proposes step-backs in the wall and within

those step-back areas, has included landscaping. Based on compliance with the base standards of the code, staff recommended approval of all four applications subject to conditions.

PLANNING COMMISSION MEETING OF NOVEMBER 6, 2003
Planning and Development Department
Item 9 – GPA-2633

MINUTES – Continued:

JOHN VORNSSEND, 2564 Wigwam Parkway, appeared on behalf of the applicant. He used the overhead to illustrate the type of landscaping proposed. He explained that the project would consist of two and three unit apartments. The apartments will rent from \$1240 to \$1430 per month. MR. VORNSSEND, referring to the variance, stated that the site is directly adjacent to the gravel pit and that is the only area the applicant is asking for the variance. He stated that the proposed project is compatible with the surrounding area and asked for approval of all four applications.

TODD FARLOW, 240 North 19th Street, asked if the project would impact the trails in any way. MR. CLAPSADDLE replied that the trails are covered in staff's report and everything is accounted for.

COMMISSIONER McSWAIN commented that the project is a nice looking project and would support it. COMMISSIONER GOYNES asked if a previous concern related to construction traffic had been resolved. MR. VORNSSEND replied that all construction traffic will be diverted down Lone Mountain Road to the east down to Interstate 215.

BART ANDERSON, Public Works Department, noted that there is no right-of-way along Lone Mountain although every effort is being made to accommodate that. However, if that cannot be accomplished, there may be a requirement for alternative routes.

COMMISSIONER DAVENPORT asked if the applicant held meetings with the adjacent residents. MR. VORNSSEND responded that a meeting did take place and seeing as none of the residents were present concluded that they were satisfied with the results of that meeting. MR. VORNSSEND subsequently added that there also was a Town Hall meeting held with the COUNCILMAN BROWN.

CHAIRMAN TRUESDELL remarked that at the previous meeting regarding this project, he was concerned with a number of issues that were also expressed by a number of residents. He was comfortable with the applicant's efforts to redesign the project and eliminate those concerns.

No one appeared in opposition.

There was no further discussion.

PLANNING COMMISSION MEETING OF NOVEMBER 6, 2003
Planning and Development Department
Item 9 – GPA-2633

MINUTES – Continued:

CHAIRMAN TRUESDELL declared the Public Hearing closed.

NOTE: All discussion for Item 9 [GPA-2633], Item 10 [ZON-2634], Item 11 [VAR-2958], and Item 12 [SDR-2635] was held under Item 9 [GPA-2633].

(6:32 – 6:43)

1-709

AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT

PLANNING COMMISSION MEETING OF: NOVEMBER 6, 2003

DEPARTMENT: PLANNING & DEVELOPMENT

DIRECTOR: ROBERT S. GENZER

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CONSENT

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DISCUSSION

SUBJECT:

ABEYANCE - ZON-2634 - COTTONWOOD CREEK APARTMENTS, LIMITED LIABILITY COMPANY - Request for a Rezoning FROM: U (Undeveloped) [PCD (Planned Community Development) General Plan Designation, PROPOSED: MLA (Medium-Low Attached Density Residential)] TO: R-PD12 (Residential Planned Development - 12 Units Per Acre) on 15.9 acres adjacent to the southeast corner of Lone Mountain Road and Cliff Shadows Parkway (APN: 137-01-101-006, 007 and 008), Ward 4 (Brown).

C.C.: 12/03/03

PROTESTS RECEIVED BEFORE:

**Planning Commission Mtg.
City Council Meeting**

0

APPROVALS RECEIVED BEFORE:

**Planning Commission Mtg.
City Council Meeting**

0

RECOMMENDATION:

Staff recommends APPROVAL

BACKUP DOCUMENTATION:

1. Location Map
2. Conditions For This Application
3. Staff Report

MOTION:

McSWAIN – APPROVED subject to conditions – UNANIMOUS

To be heard by the City Council on 11/19/2003.

MINUTES:

CHAIRMAN TRUESDELL declared the Public Hearing open

No one appeared in opposition.

There was no discussion.

PLANNING COMMISSION MEETING OF NOVEMBER 6, 2003
Planning and Development Department
Item 10 – ZON-2634

MINUTES – Continued:

CHAIRMAN TRUESDELL declared the Public Hearing closed.

NOTE: All discussion for Item 9 [GPA-2633], Item 10 [ZON-2634], Item 11 [VAR-2958], and Item 12 [SDR-2635] was held under Item 9 [GPA-2633].

(6:32 – 6:43)

1-709

CONDITIONS:

Planning and Development

1. A General Plan Amendment (GPA-2633) to an MLA (Medium-Low Attached Density Residential) land use designation approved by the City Council.
2. A Resolution of Intent with a two-year time limit.
3. Site Development Plan Review (SDR-2635) and Variance (VAR-2958) applications approved by the Planning Commission or City Council prior to issuance of any permits, any site grading, and all development activity for the site.

Public Works

4. Submit a Petition of Vacation to vacate those portions of Barden Road and any existing U.S. Government Patent Easements in conflict with this site. Said Order of Vacation must record prior to the issuance of any building permits in conflict with this site.
5. Dedicate 40 feet of right-of-way adjacent to this site for Cliff Shadow Parkway and 30 feet for Peaceful Dawn Avenue, including those portions of Assessor Parcel Number #137-01-101-008 necessary for the completion dedication of a cul-de-sac bulb for Peaceful Dawn Avenue. Additionally, dedicate a 20-foot radius on the northeast corner of Cliff Shadows Parkway and Peaceful Dawn Avenue and a 25-foot radius at the southeast corner of Cliff Shadows Parkway and Lone Mountain Road prior to the issuance of any permits.
6. Grant a Traffic Signal Chord Easement at the southeast corner of Lone Mountain Road and Cliff Shadows Parkway prior to the issuance of any permits for this site.
7. Construct half-street improvements including appropriate overpaving on Lone Mountain Road, Cliff Shadows Parkway, and Peaceful Dawn Avenue adjacent to this site concurrent with development of this site. Install all appurtenant underground facilities, if any, adjacent to this site needed for the future traffic signal system concurrent with development of this site. All existing

paving damaged or removed by this development shall be restored at its original location and to its original width concurrent with development of this site.

PLANNING COMMISSION MEETING OF NOVEMBER 6, 2003
Planning and Development Department
Item 10 – ZON-2634

CONDITIONS – Continued:

8. Coordinate with the Collection Systems Planning Section of the Department of Public Works to extend a public sanitary sewer along the east side of this site from Yellow Harbor Street northward to Lone Mountain Road at a location and depth acceptable to the City Engineer. Provide public sewer easements for all public sewers not located within existing public street right-of-way prior to the issuance of any permits.
9. A Traffic Impact Analysis must be submitted to and approved by the Department of Public Works prior to the issuance of any building or grading permits, or the submittal of any construction drawings. Comply with the recommendations of the approved Traffic Impact Analysis prior to occupancy of the site. The City shall determine area traffic mitigation contribution requirements based upon information provided in the approved Traffic Impact Analysis; such monies shall be contributed prior to the issuance of any permits for this site. The Traffic Impact Analysis shall also include a section addressing Standard Drawings #234.1 #234.2 and #234.3 to determine additional right-of-way requirements for bus turnouts adjacent to this site, if any; dedicate all areas recommended by the approved Traffic Impact Analysis. All additional rights-of-way required by Standard Drawing #201.1 for exclusive right turn lanes and dual left turn lanes shall be dedicated prior to or concurrent with the commencement of on-site development activities unless specifically noted as not required in the approved Traffic Impact Analysis. If additional rights-of-way are not required and Traffic Control devices are or may be proposed at this site outside of the public right-of-way, all necessary easements for the location and/or access of such devices shall be granted prior to the issuance of permits for this site. Phased compliance will be allowed if recommended by the approved Traffic Impact Analysis. No recommendation of the approved Traffic Impact Analysis, or compliance therewith, shall be deemed to modify or eliminate any condition of approval imposed by the Planning Commission or the City Council on the development of this site. Alternatively, in lieu of a Traffic Impact Analysis, the applicant may participate in a reasonable alternative mutually acceptable to the applicant and the Department of Public Works.

PLANNING COMMISSION MEETING OF NOVEMBER 6, 2003
Planning and Development Department
Item 10 – ZON-2634

CONDITIONS – Continued:

10. A Drainage Plan and Technical Drainage Study must be submitted to and approved by the Department of Public Works prior to the issuance of any building or grading permits, submittal of any construction drawings or the recordation of a Map subdividing this site, whichever may occur first. Provide and improve all drainageways recommended in the approved drainage plan/study. The developer of this site shall be responsible to construct such neighborhood or local drainage facility improvements as are recommended by the City of Las Vegas Neighborhood Drainage Studies and approved Drainage Plan/Study concurrent with development of this site. In lieu of constructing improvements, in whole or in part, the developer may agree to contribute monies for the construction of neighborhood or local drainage improvements, the amount of such monies shall be determined by the approved Drainage Plan/Study and shall be contributed prior to the issuance of any building or grading permits, or the recordation of a Map subdividing this site, whichever may occur first, if allowed by the City Engineer.

AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT

PLANNING COMMISSION MEETING OF: NOVEMBER 6, 2003

DEPARTMENT: PLANNING & DEVELOPMENT

DIRECTOR: ROBERT S. GENZER

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CONSENT

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DISCUSSION

SUBJECT:

ABEYANCE - VAR-2958 - COTTONWOOD CREEK APARTMENTS, LIMITED LIABILITY COMPANY - Request for a Variance TO ALLOW A SIDE YARD SETBACK OF 34 FEET WHERE RESIDENTIAL ADJACENCY STANDARDS REQUIRE A 72-FOOT SETBACK on 15.9 acres adjacent to the southeast corner of Lone Mountain Road and Cliff Shadows Parkway (APN: 137-01-101-006, 007 and 008), U (Undeveloped) Zone [PCD (Planned Community Development) General Plan Designation, PROPOSED: MLA (Medium-Low Attached Density Residential)] [PROPOSED: R-PD12 (Residential Planned Development - 12 Units Per Acre)], Ward 4 (Brown).

C.C.: 12/03/03

PROTESTS RECEIVED BEFORE:

Planning Commission Mtg.
City Council Meeting

0

APPROVALS RECEIVED BEFORE:

Planning Commission Mtg.
City Council Meeting

0

RECOMMENDATION:

Staff recommends APPROVAL

BACKUP DOCUMENTATION:

1. Location Map
2. Conditions For This Application
3. Staff Report

MOTION:

McSWAIN – APPROVED subject to conditions – UNANIMOUS

To be heard by the City Council on 11/19/2003.

MINUTES:

CHAIRMAN TRUESDELL declared the Public Hearing open

No one appeared in opposition.

There was no discussion.

PLANNING COMMISSION MEETING OF NOVEMBER 6, 2003
Planning and Development Department
Item 11 – VAR-2958

MINUTES – Continued:

CHAIRMAN TRUESDELL declared the Public Hearing closed.

NOTE: All discussion for Item 9 [GPA-2633], Item 10 [ZON-2634], Item 11 [VAR-2958], and Item 12 [SDR-2635] was held under Item 9 [GPA-2633].

(6:32 – 6:43)

1-709

CONDITIONS:

Planning and Development

1. Approval of and conformance to the Conditions of Approval for General Plan Amendment (GPA-2633), Rezoning (ZON-2634), and Site Development Plan Review [SDR-2635].
2. This Variance shall expire two years from the date of final approval, unless it is exercised or an Extension of Time is granted by the City Council.

AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT

PLANNING COMMISSION MEETING OF: NOVEMBER 6, 2003

DEPARTMENT: PLANNING & DEVELOPMENT

DIRECTOR: ROBERT S. GENZER ☐ **CONSENT** ☒ **DISCUSSION**

SUBJECT:

ABEYANCE - SDR-2635 - COTTONWOOD CREEK APARTMENTS, LIMITED LIABILITY COMPANY - Request for a Site Development Plan Review and a Waiver of perimeter buffering standards FOR A PROPOSED 192-UNIT APARTMENT DEVELOPMENT on 15.9 acres adjacent to the southeast corner of Lone Mountain Road and Cliff Shadows Parkway (APN: 137-01-101-006, 007 and 008), U (Undeveloped) Zone [PCD (Planned Community Development) General Plan Designation, PROPOSED: MLA (Medium-Low Attached Density Residential)] [PROPOSED: R-PD12 (Residential Planned Development - 12 Units Per Acre)], Ward 4 (Brown).

C.C.: 12/03/03

PROTESTS RECEIVED BEFORE:

Planning Commission Mtg.
City Council Meeting

0

APPROVALS RECEIVED BEFORE:

Planning Commission Mtg.
City Council Meeting

0

RECOMMENDATION:

Staff recommends APPROVAL.

BACKUP DOCUMENTATION:

1. Location Map
2. Conditions For This Application
3. Staff Report

MOTION:

McSWAIN – APPROVED subject to conditions and amending Condition 14 as follows:

14. *The developer of this site shall move the existing concrete jersey barriers, currently installed on Cliff Shadows Parkway south of Peaceful Dawn, to Lone Mountain Road east of the entrance of this development after the half-street improvements adjacent to this site have been constructed.*

– UNANIMOUS

To be heard by the City Council on 11/19/2003.

PLANNING COMMISSION MEETING OF NOVEMBER 6, 2003
Planning and Development Department
Item 12 – SDR-2635

MINUTES:

CHAIRMAN TRUESDELL declared the Public Hearing open

No one appeared in opposition.

There was no discussion.

CHAIRMAN TRUESDELL declared the Public Hearing closed.

NOTE: All discussion for Item 9 [GPA-2633], Item 10 [ZON-2634], Item 11 [VAR-2958], and Item 12 [SDR-2635] was held under Item 9 [GPA-2633].

(6:32 – 6:43)

1-709

CONDITIONS:

Planning and Development

1. A General Plan Amendment (GPA-2633) to an MLA (Medium-Low Attached Density Residential) land use designation, a Rezoning [ZON-2634] to an R-PD12 (Residential Planned Development - 12 Units per Acre) Zoning District, and a Variance (VAR-2958) to Residential Proximity Standards approved by the City Council.
2. This Site Development Plan Review shall expire two years from date of final approval unless it is exercised or an Extension of Time is granted by the City Council.
3. All development shall be in conformance with the site plan and building elevations, except as amended by conditions herein.
4. The site plan shall be revised and approved by Planning and Development Department staff, prior to the time application is made for a tentative map, to illustrate that a solid decorative wall will be developed along the southern boundary of the site, to visually block the view of the proposed apartments from the existing residential area to the south of the site.
5. The elevations shall be revised and approved by Planning and Development Department staff, prior to the time application is made for a building permit, with additional architectural features to enhance façade articulation.
6. A landscaping plan must be submitted prior to or at the same time application is made for a building permit.

PLANNING COMMISSION MEETING OF NOVEMBER 6, 2003
Planning and Development Department
Item 12 – SDR-2635

CONDITIONS – Continued:

7. All mechanical equipment, air conditioners and trash areas shall be fully screened in views from the abutting streets. Air conditioning units shall not be mounted on rooftops.
8. Parking lot lighting standards shall be no more than 20 feet in height and shall utilize ‘shoe-box’ fixtures and downward-directed lights. Wallpack lighting shall utilize ‘shoe-box’ fixtures and downward-directed lights on the proposed building. Property lighting shall be directed away from residential property or screened, and shall not create fugitive lighting on adjacent properties.
9. All utility boxes exceeding 27 cubic feet in size shall meet the standards of Title 19.12.050.
10. Any property line wall shall be a decorative block wall, with at least 20 percent contrasting materials, or a wrought iron wall with decorative stone or concrete pilasters. Wall heights shall be measured from the side of the fence with the least vertical exposure above the finished grade, unless otherwise stipulated.
11. A fully operational fire protection system, including fire apparatus roads, fire hydrants and water supply, shall be installed and shall be functioning prior to construction of any combustible structures.
12. All City Code requirements and design standards of all City departments must be satisfied.

Public Works

13. Meet with the Traffic Engineering Representative in Land Development for assistance in the possible redesign of the proposed driveway access, on site circulation and parking lot layout prior to the submittal of any construction plans or the issuance of any permits, whichever may occur first. Driveways shall be designed, located and constructed in accordance with Standard Drawing #222A.
14. Provide proof of legal access along Lone Mountain Road between the Barden Road alignment and the Beltway prior to the approval of any construction drawings. If such access cannot be provided, the site plan must be modified in a manner acceptable to the City Traffic Engineer.
15. Site development to comply with all applicable conditions of approval for ZON-2634 and all other subsequent site-related actions.

AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT

PLANNING COMMISSION MEETING OF: NOVEMBER 6, 2003

DEPARTMENT: PLANNING & DEVELOPMENT

DIRECTOR: ROBERT S. GENZER

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CONSENT

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DISCUSSION

SUBJECT:

ABEYANCE - RENOTIFICATION - GPA-3043 - GEORGE GEKAKIS, INC. ON BEHALF OF FORTUNE N. LAMB, ET AL - Request to amend a portion of the Southwest Sector Future Land Use Plan of the General Plan FROM: R (RURAL DENSITY RESIDENTIAL) TO: M (MEDIUM DENSITY RESIDENTIAL) on 9.83 acres adjacent to the east side of Jones Boulevard, approximately 570 feet south of Cheyenne Avenue (APN: 138-13-101-002, 003 and 004), Ward 5 (Weekly).

C.C.: 12/03/03

PROTESTS RECEIVED BEFORE:

**Planning Commission Mtg.
City Council Meeting**

458

APPROVALS RECEIVED BEFORE:

**Planning Commission Mtg.
City Council Meeting**

0

RECOMMENDATION:

Staff recommends APPROVAL.

BACKUP DOCUMENTATION:

1. Location Map
2. Conditions For This Application
3. Staff Report

MOTION:

GOYNES – APPROVED – UNANIMOUS with TRUESEDELL abstaining as he has an interest in property located in the notice area.

To be heard by the City Council on 11/19/2003

NOTE: COMMISSIONER NIGRO disclosed that ATTORNEY GRONAUER'S law firm has represented him on a previous zoning action in Henderson. However, inasmuch as ATTORNEY GRONAUER'S firm no longer represents him in any matter, he would continue to vote without making any further disclosures..

PLANNING COMMISSION MEETING OF NOVEMBER 6, 2003
Planning and Development Department
Item 13 – GPA-3043

MINUTES:

VICE CHAIRMAN NIGRO declared the Public Hearing open.

DAVID CLAPSADDLE, Planning and Development Department, explained that site is located south of commercial on the southwest corner of Cheyenne Avenue and Jones Boulevard. Staff determined that the medium-density residential and the use of a senior housing project is appropriate for the area.

With regard to the waiver, because the location is near a busy intersection and considering the development pattern of the area, staff not longer perceives this area as a rural district. MR. CLAPSADDLE briefly compared a prior application to the current request. With regard to the parking variance, MR. CLAPSADDLE stated that the proposed number of parking spaces would meet the proposed change to the code for senior housing. With all code requirements being met, staff recommended approval.

ATTORNEY BOB GRONAUER, 3800 Howard Hughes Parkway, appeared on behalf of the applicant. He introduced GEORGE GEKAKIS, who is being represented by his law firm. He concurred with staff's thorough summation of the project and stated that both he and MR. GEKAKIS would be available to answer any questions.

The following speakers objected to the proposed development. Their comments are noted below. VELMA MUNS, 5916 Paseo Delmar; JOHN HUNT, 548 Madre Mesa; GEORGE MUNS, 5916 Paseo Delmar; DIANE McDAVID, 5800 Paseo Del Mar; DONNA HOFMEISTER, 3093 Woods Drive; PAUL WASSIKY; 5709 Paseo Recallo Court; MATTIE McDAVID, 5808 Paseo Del Mar; KEVIN CABBLE, 5608 Avenida Tampico; HAL DAVIDSON, 5812 Paseo Del Mar; JAMES McDAVID, 5800 Paseo Del Mar; N. MIMIRKOVIC, 5904 PASEO Del Mar; AL GALLEG0, citizen of Las Vegas.

In response to the first speaker, MR. CLAPSADDLE stated that with regard to these applications, there were 180 notices mailed. Staff received 447 protests.

The majority of speakers listed above appeared in opposition to the proposed project and staunchly argued the importance of preserving the rural aspect of this neighborhood. There was reference made to the inception of the law that declared the area rural. One neighbor stated that based on a suggestion by staff that a proposal of side-by-side mirror imaged homes might be a feasible project the suggestion was presented to MR. GEKAKIS for consideration.

PLANNING COMMISSION MEETING OF NOVEMBER 6, 2003
Planning and Development Department
Item 13 – GPA-3043

MINUTES - Continued:

One speaker stated that there are too many of these types of apartment development cropping up and being placed adjacent to single-family residential areas. Inasmuch as most of the property owners built their own homes, they resented the interference from developers. One speaker stated that the Planning Commission would be breaking the law if the proposed development were to be approved. The major concern repeatedly voiced by the neighbors was having 246 apartments constructed adjacent to half-acre home sites. There were additional concerns regarding the reduction of property values. There were residents who compared previous proposals for this site and argued that the neighbors objected to those plans mainly because of the project's height and setbacks. Other complaints were focused on the intrusion of lights emitting from the project as well as the height of the perimeter walls. Additional comments seemed to infer that none of the neighbors felt positive or were even willing to accept anything MR. GEKAKIS proposed. They criticized his integrity stating that MR. GEKAKIS continues to come before the Planning Commission to discourage the residents from appearing. Several of the residents recalled a proposal by another developer who wanted senior apartments on the same site. At that time, MAYOR JAN JONES voiced her opposition and directed the developer not to return unless the proposal was for residential homes.

There was a question addressed to the Commission regarding a newly introduced bill that was scheduled to be heard by the City Council. DEPUTY CITY ATTORNEY BRYAN SCOTT clarified that that bill related to lot coverage. ROBERT GENZER, Director of Planning and Development Department, interjected and stated that this project was submitted under the current statutes; therefore the proposed bill is not applicable.

COMMISSIONER McSWAIN questioned the position of the lighting and whether there would be any impact to the adjacent neighborhood. MR. GEKAKIS replied that the lighting would be a shoebox style. VICE CHAIRMAN NIGRO added that there is a condition that addresses the lighting. COMMISSIONER McSWAIN understood that this project has additional units and asked for the exact number of units planned for this site. MR. GEKAKIS stated that the project was redesigned to eliminate the third story and has seven or eight additional units than originally proposed. MR. GEKAKIS committed to reducing the number of units in order to meet the originally proposed setbacks. COMMISSIONER McSWAIN stated that she would support this project seeing as the applicant has made several modifications to the site plan. She also clarified, based on comments overheard that she favored on a senior citizen development, that her mainstay was to have a project that was compatible with the neighborhood.

PLANNING COMMISSION MEETING OF NOVEMBER 6, 2003
Planning and Development Department
Item 13 – GPA-3043

MINUTES - Continued:

COMMISSIONER EVANS asked MR. GEKAKIS whether he needs to meet the ‘good cause’ requirement of the NRS as it pertains to the width of Jones Boulevard and if so to explain the good cause. ATTORNEY GRONAUER responded by illustrating on the site plan the types of development surrounding the proposed project. He stated that from a planning standpoint it is appropriate to have a senior housing because of its lower impact on the community. He pointed out that the area on the corner of Cheyenne and Jones is not rural. He added that there is commercial on the corners and higher density residential and based on those statistics, he believed it is adequate to meet the ‘good cause’ requirement. DEPUTY CITY ATTORNEY SCOTT clarified that the 99-foot roadway invalidates the rural preservation neighborhood and not the buffer zone.

COMMISSIONER GOYNES questioned whether ‘good cause’ in this circumstance would be a violation of the rural preservation law. DEPUTY CITY ATTORNEY SCOTT stated that if it is determined that there is ‘good cause’, it actually has nothing to do with the rural preservation neighborhood because that only applies to the buffer area. COMMISSIONER GOYNES stated that, having heard all of the comments from the neighbors and taking into consideration exactly how this project would impact those neighbors, he felt the proposed development was appropriate and that it was compatible with the surrounding community. He also noted that several proposals have come before the Planning Commission, to which the residents consistently rejected. Addressing the neighbors, COMMISSIONER GOYNES declared his support, stating that he hoped they would eventually come to appreciate the project.

VICE CHAIRMAN NIGRO concurred with the comments of his colleagues. He stated that one way to lower property values in a neighborhood of larger homes is to build smaller homes. He pointed out that entertaining a development of ten units to the acre with smaller homes on small lots would certainly play a major role in bringing down the property values in the neighborhood. He emphasized that this is not a for-sale project, it is very low impact and not an intense residential project.

There was no further discussion.

VICE CHAIRMAN NIGRO declared the Public Hearing closed.

NOTE: All discussion for Item 13 [GPA-3043], Item 14 [ZON-3044], Item 15 [VAR-3083], and Item 16 [SDR-3045] was held under Item 13 [GPA-3043].

(6:43 – 7:31)

1-1112

AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT

PLANNING COMMISSION MEETING OF: NOVEMBER 6, 2003

DEPARTMENT: PLANNING & DEVELOPMENT

DIRECTOR: ROBERT S. GENZER

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CONSENT

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DISCUSSION

SUBJECT:

ABEYANCE - RENOTIFICATION - ZON-3044 - GEORGE GEKAKIS, INC. ON BEHALF OF FORTUNE N. LAMB, ET AL - Request for Rezoning FROM: R-E (RESIDENCE ESTATES) AND U (UNDEVELOPED) [R (RURAL DENSITY RESIDENTIAL) GENERAL PLAN DESIGNATION] TO: R-3 (MEDIUM DENSITY RESIDENTIAL) on 9.83 acres adjacent to the east side of Jones Boulevard, approximately 570 feet south of Cheyenne Avenue (APN: 138-13-101-002, 003 and 004), Ward 5 (Weekly).

C.C.: 12/03/03

PROTESTS RECEIVED BEFORE:

**Planning Commission Mtg.
City Council Meeting**

458

APPROVALS RECEIVED BEFORE:

**Planning Commission Mtg.
City Council Meeting**

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RECOMMENDATION:

Staff recommends APPROVAL.

BACKUP DOCUMENTATION:

1. Location Map
2. Conditions For This Application
3. Staff Report

MOTION:

GOYNES – APPROVED subject to conditions – UNANIMOUS with TRUESDELL abstaining as he has an interest in property located in the notice area.

To be heard by the City Council on 11/19/2003

NOTE: COMMISSIONER NIGRO disclosed that ATTORNEY KAEMPFER'S law firm has represented him on a previous zoning action in Henderson. Although they currently represent him, it is not related to zoning, so he would be voting on this item.

MINUTES:

VICE CHAIRMAN NIGRO declared the Public Hearing open.

PLANNING COMMISSION MEETING OF NOVEMBER 6, 2003
Planning and Development Department
Item 14 – ZON-3044

MINUTES – Continued:

There was no discussion.

VICE CHAIRMAN NIGRO declared the Public Hearing closed.

NOTE: All discussion for Item 13 [GPA-3043], Item 14 [ZON-3044], Item 15 [VAR-3083], and Item 16 [SDR-3045] was held under Item 13 [GPA-3043].

(6:43 – 7:31)

1-1112

CONDITIONS:

Planning and Development

1. A General Plan Amendment (GPA-3043) to M (Medium Density Residential) land use designation and a Variance request (VAR-3083) for parking approved by the City Council.
2. A Resolution of Intent with a two-year time limit.
3. A Site Development Plan Review (SDR-3045) application approved by the Planning Commission and City Council prior to issuance of any permits, any site grading, and all development activity for the site.

Public Works

4. Dedicate the portions of Rowland Street and Haley Avenue for a knuckle at the intersection of those streets prior to the issuance of any permits for this site.
5. Construct all incomplete half-street improvements on Jones Boulevard adjacent to this site and construct all incomplete half street improvements on Rowland Street and Haley Avenue adjacent to this site concurrent with development of this site.
6. Remove all substandard public street improvements and unused driveway cuts adjacent to this site, if any, and replace with new improvements meeting current City Standards concurrent with development of this site.
7. Extend public sewer in Rowland Street from Cheyenne Avenue for a public sewer connection to this site. Because of capacity restrictions, the public sewer line in Jones Boulevard shall not be utilized for service to this site. Provide public sewer easements for all public sewers not located within existing public street right-of-way prior to the issuance of any permits. Improvement Drawings submitted to the City for review shall not be approved for construction

until all required public sewer easements necessary to connect this site to the existing public sewer system have been granted to the City.

PLANNING COMMISSION MEETING OF NOVEMBER 6, 2003
Planning and Development Department
Item 14 – ZON-3044

CONDITIONS – Continued:

8. A Traffic Impact Analysis must be submitted to and approved by the Department of Public Works prior to the issuance of any building or grading permits, submittal of any construction drawings. Comply with the recommendations of the approved Traffic Impact Analysis prior to occupancy of the site. The City shall determine area traffic mitigation contribution requirements based upon information provided in the approved Traffic Impact Analysis; such monies shall be contributed prior to the issuance of any permits for this site. The Traffic Impact Analysis shall also include a section addressing Standard Drawings #234.1 #234.2 and #234.3 to determine additional right-of-way requirements for bus turnouts adjacent to this site, if any; dedicate all areas recommended by the approved Traffic Impact Analysis. All additional rights-of-way required by Standard Drawing #201.1 for exclusive right turn lanes and dual left turn lanes shall be dedicated prior to or concurrent with the commencement of on-site development activities unless specifically noted as not required in the approved Traffic Impact Analysis. Phased compliance will be allowed if recommended by the approved Traffic Impact Analysis. No recommendation of the approved Traffic Impact Analysis, nor compliance therewith, shall be deemed to modify or eliminate any condition of approval imposed by the Planning Commission or the City Council on the development of this site.

Alternatively, in lieu of a Traffic Impact Analysis, the applicant may participate in a reasonable alternative mutually acceptable to the applicant and the Department of Public Works.

9. A Drainage Plan and Technical Drainage Study must be submitted to and approved by the Department of Public Works prior to the issuance of any building or grading permits, submittal of any construction drawings or the recordation of a Map subdividing this site, whichever may occur first. Provide and improve all drainageways recommended in the approved drainage plan/study. The developer of this site shall be responsible to construct such neighborhood or local drainage facility improvements as are recommended by the City of Las Vegas Neighborhood Drainage Studies and approved Drainage Plan/Study concurrent with development of this site. In lieu of constructing improvements, in whole or in part, the developer may agree to contribute monies for the construction of neighborhood or local drainage improvements, the amount of such monies shall be determined by the approved Drainage Plan/Study and shall be contributed prior to the issuance of any building or grading permits, or the recordation of a Map subdividing this site, whichever may occur first, if allowed by the City.

AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT

PLANNING COMMISSION MEETING OF: NOVEMBER 6, 2003

DEPARTMENT: PLANNING & DEVELOPMENT

DIRECTOR: ROBERT S. GENZER

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CONSENT

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DISCUSSION

SUBJECT:

ABEYANCE - RENOTIFICATION - VAR-3083 - GEORGE GEKAKIS, INC. ON BEHALF OF FORTUNE N. LAMB, ET AL - Request for a Variance TO ALLOW 235 PARKING SPACES WHERE 296 SPACES ARE REQUIRED FOR A PROPOSED SENIOR CITIZEN APARTMENT DEVELOPMENT on 9.83 acres adjacent to the east side of Jones Boulevard, approximately 570 feet south of Cheyenne Avenue (APN: 138-13-101-002, 003 and 004), U (Undeveloped) [R (Rural Density Residential) General Plan Designation] and R-E (Residence Estates) Zones [Proposed: R-3 (Medium Density Residential)], Ward 5 (Weekly).

C.C.: 12/03/03

PROTESTS RECEIVED BEFORE:

Planning Commission Mtg.

458

City Council Meeting

APPROVALS RECEIVED BEFORE:

Planning Commission Mtg.

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City Council Meeting

RECOMMENDATION:

Staff recommends APPROVAL.

BACKUP DOCUMENTATION:

1. Location Map
2. Conditions For This Application
3. Staff Report

MOTION:

GOYNES – APPROVED subject to conditions – UNANIMOUS with TRUESDELL abstaining as he has an interest in property located in the notice area.

To be heard by the City Council on 11/19/2003

NOTE: COMMISSIONER NIGRO disclosed that ATTORNEY KAEMPFER'S law firm has represented him on a previous zoning action in Henderson. Although they currently represent him, it is not related to zoning, so he would be voting on this item.

MINUTES:

VICE CHAIRMAN NIGRO declared the Public Hearing open.

PLANNING COMMISSION MEETING OF NOVEMBER 6, 2003
Planning and Development Department
Item 15 – VAR-3083

MINUTES – Continued:

There was no discussion.

VICE CHAIRMAN NIGRO declared the Public Hearing closed.

NOTE: All discussion for Item 13 [GPA-3043], Item 14 [ZON-3044], Item 15 [VAR-3083], and Item 16 [SDR-3045] was held under Item 13 [GPA-3043].

(6:43 – 7:31)

1-1112

CONDITIONS:

Planning and Development

1. Approval of and conformance to the Conditions of Approval for Rezoning (ZON-3044) and Site Development Plan Review (SDR-3045).
2. This Variance shall expire two years from date of final approval unless it is exercised or an Extension of Time is granted by the City Council.

AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT

PLANNING COMMISSION MEETING OF: NOVEMBER 6, 2003

DEPARTMENT: PLANNING & DEVELOPMENT

DIRECTOR: ROBERT S. GENZER

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CONSENT

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DISCUSSION

SUBJECT:

ABEYANCE - RENOTIFICATION - SDR-3045 - GEORGE GEKAKIS, INC. ON BEHALF OF FORTUNE N. LAMB, ET AL - Request for Site Development Plan Review FOR A PROPOSED 246 UNIT SENIOR CITIZEN APARTMENT DEVELOPMENT AND A WAIVER TO THE DENSITY REQUIREMENTS WITHIN A RURAL PRESERVATION NEIGHBORHOOD BUFFER on 9.83 acres adjacent to the east side of Jones Boulevard, approximately 570 feet south of Cheyenne Avenue (APN:138-13-101-002, 003 and 004), U (Undeveloped) [R (Rural Density Residential) General Plan Designation] and R-E (Residence Estates) Zones [Proposed: R-3 (Medium Density Residential)], Ward 5 (Weekly).

C.C.: 12/03/03

PROTESTS RECEIVED BEFORE:

**Planning Commission Mtg.
City Council Meeting**

458

APPROVALS RECEIVED BEFORE:

**Planning Commission Mtg.
City Council Meeting**

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RECOMMENDATION:

Staff recommends APPROVAL.

BACKUP DOCUMENTATION:

1. Location Map
2. Conditions For This Application
3. Staff Report

MOTION:

GOYNES – APPROVED subject to conditions and amending Condition 4 as follows:

4. All development shall be in conformance with the site plan and building elevations, except as amended by conditions herein. *The site plan shall be amended by removing a total of eight units. Four of these will be the easternmost four units in the northernmost building, and the other four will be the easternmost four units in the southernmost building.*

– UNANIMOUS with TRUESDELL abstaining as he has an interest in property located in the notice area.

To be heard by the City Council on 11/19/2003

PLANNING COMMISSION MEETING OF NOVEMBER 6, 2003
Planning and Development Department
Item 16 – SDR-3045

MOTION – Continued:

NOTE: COMMISSIONER NIGRO disclosed that ATTORNEY KAEMPFER’S law firm has represented him on a previous zoning action in Henderson. Although they currently represent him, it is not related to zoning, so he would be voting on this item.

MINUTES:

VICE CHAIRMAN NIGRO declared the Public Hearing open.

There was no discussion.

VICE CHAIRMAN NIGRO declared the Public Hearing closed.

NOTE: All discussion for Item 13 [GPA-3043], Item 14 [ZON-3044], Item 15 [VAR-3083], and Item 16 [SDR-3045] was held under Item 13 [GPA-3043].

(6:43 – 7:31)

1-1112

CONDITIONS:

Planning and Development

1. Sign and record a deed restriction with language determined to be satisfactory by the City Attorney which restricts the use of the site to an age-restricted community for those persons 55 years of age or older, to the full extent of the law.
2. A General Plan Amendment (GPA-3043) to an M (Medium Density Residential) and a Rezoning (ZON-3044) to a R-3 (Medium Density Residential) Zoning District approved by the City Council.
3. This Site Development Plan Review shall expire two years from date of final approval unless it is exercised or an Extension of Time is granted by the City Council.
4. All development shall be in conformance with the site plan and building elevations, except as amended by conditions herein.
5. Prior to the submittal of a building permit, the applicant shall meet with Planning and Development Department staff to develop a comprehensive address plan for the subject site. A copy of the approved address plan shall be submitted with any future building permit applications related to the site.

PLANNING COMMISSION MEETING OF NOVEMBER 6, 2003
Planning and Development Department
Item 16 – SDR-3045

CONDITIONS – Continued:

6. The landscape plan shall be revised and approved by the Planning and Development Department, prior to the time application is made for a building permit, to reflect minimum 24-inch box trees planted a maximum of 20 feet on-center with a minimum of four five-gallon shrubs for each tree within provided planters along the southern and eastern property lines and a landscaping berm provided within these planting areas. The landscaping plan shall also depict 24-inch box trees planted a maximum of 30 feet on-center along the front property line and a minimum of four five-gallon shrubs for each tree within provided planters. Planted shrubs are not required to be between the garages and the perimeter wall.
7. The perimeter wall along the southern and eastern property lines shall be eight (8) feet in height. Any property line wall shall be a decorative block wall, with at least 20 percent contrasting materials. Wall heights shall be measured from the side of the fence with the least vertical exposure above the finished grade, unless otherwise stipulated. All perimeter walls shall be in place prior to commencement of construction of any structures.
8. Parking lot lighting standards shall be no more than 20 feet in height and shall utilize 'shoe-box' fixtures and downward-directed lights. Wallpack lighting shall utilize 'shoe-box' fixtures and downward-directed lights on the proposed building. Non-residential property lighting shall be directed away from residential property or screened, and shall not create fugitive lighting on adjacent properties.
9. Landscaping and a permanent underground sprinkler system shall be installed as required by the Planning Commission or City Council and shall be permanently maintained in a satisfactory manner. [Failure to properly maintain required landscaping and underground sprinkler systems shall be cause for revocation of a business license.]
10. A landscaping plan must be submitted prior to or at the same time application is made for a building permit.
11. All mechanical equipment, air conditioners and trash areas shall be fully screened in views from the abutting streets.
12. All utility boxes exceeding 27 cubic feet in size shall meet the standards of Title 19.12.050.
13. A fully operational fire protection system, including fire apparatus roads, fire hydrants and water supply, shall be installed and shall be functioning prior to construction of any combustible structures.

PLANNING COMMISSION MEETING OF NOVEMBER 6, 2003
Planning and Development Department
Item 16 – SDR-3045

CONDITIONS – Continued:

14. All City Code requirements and design standards of all City departments must be satisfied.

Public Works

15. Coordinate with the City Surveyor to determine whether a Reversionary Map or other map is necessary for this Site Development Review; if such map is required it should record prior to the issuance of any building permits for this site.
16. Meet with the Traffic Engineering Representative in Land Development for assistance in the possible redesign of the proposed driveway access, on site circulation and parking lot layout prior to the submittal of any construction plans or the issuance of any permits, whichever may occur first. Driveways shall be designed, located and constructed in accordance with Standard Drawing #222A.
17. Site development to comply with all applicable conditions of approval for ZON-3044 and all other subsequent site-related actions.

AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT

PLANNING COMMISSION MEETING OF: NOVEMBER 6, 2003

DEPARTMENT: PLANNING & DEVELOPMENT

DIRECTOR: ROBERT S. GENZER

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CONSENT

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DISCUSSION

SUBJECT:

ABEYANCE - RENOTIFICATION - GPA-3066 - D.R. HORTON, INC. ON BEHALF ROBERT J. WUESTE FAMILY, LIMITED PARTNERSHIP - Request to amend Map 4 of the Centennial Hills Sector Plan FROM: EC-TC (EMPLOYMENT CENTER MIXED-USE-TOWN CENTER) TO: ML-TC (MEDIUM-LOW RESIDENTIAL-TOWN CENTER) on 25.68 acres adjacent to the northwest corner of Gilcrease Avenue and Fort Apache Road (APN: 125-18-501-004, 005, 010, 011, 012 and 013), Ward 6 (Mack).

C.C.: 12/03/03

PROTESTS RECEIVED BEFORE:

**Planning Commission Mtg.
City Council Meeting**

1

APPROVALS RECEIVED BEFORE:

**Planning Commission Mtg.
City Council Meeting**

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RECOMMENDATION:

Staff recommends DENIAL.

BACKUP DOCUMENTATION:

1. Location Map
2. Conditions For This Application
3. Staff Report

MOTION:

GOYNES - DENIED – Motion carried with McSWAIN abstaining as her firm is in current litigation with D.R. Horton and NIGRO and DAVENPORT voting no.

To be heard by the City Council on 12/3/2003

NOTE: Subsequent to the meeting, it was determined that Items 17 through 20 should have been forwarded to the City Council meeting of 11/19/2003 as a result of the error in notification.

MINUTES:

CHAIRMAN TRUESDELL declared the Public Hearing open

DAVID CLAPSADDLE, Planning and Development Department, stated that the General Plan Amendment presented several concerns for staff. Given that the EC-TC designation allows a very

broad spectrum of commercial uses as well as permits light industrial uses within Town Center, MR. CLAPSADDLE stated that approval would reduce the amount of commercial that's

PLANNING COMMISSION MEETING OF NOVEMBER 6, 2003
Planning and Development Department
Item 17 – GPA-3066

MINUTES – Continued:

available in Town Center by approximately 25 percent. MR. CLAPSADDLE noted that this would be the second request to reduce commercial within Town Center. Staff recommended approval of the zoning request but denial on the remaining three applications.

JEFF ANDERSON, D.R. Horton Homes, 3513 East Russell Road, presented a brief summarization of the details of the project. Referring to the site plan, he explained that the developer made considerable effort to develop a product that would be compatible to the surrounding land uses and the existing developments surrounding the project. He explained that the proposed project would embrace six-unit clusters with duplexes and be single story in design. MR. ANDERSON remarked that this type of product was designed to attract property owners who desire a low-maintenance lifestyle. The development will be gated, it fulfills the requirements of the open space and enhances the project with meandering trails along each of the three streets.

TODD FARLOW, 240 North 19th Street, stated that gated developments contribute absolutely nothing to promote the community feeling. He argued that the idea of having a mixture of retail and residential within Town Center has gone astray and as a result deviates from the concept of Town Center.

COMMISSIONER GOYNES agreed with MR. FARLOW'S comments in that there has been some deviation from the original Town Center plan.

VICE CHAIRMAN NIGRO stated that he felt the requested conversion would be appropriate and he did not feel that the multi-level commercial above retail would ever materialize until such time as the number of people living in the area increases substantially. He pointed out that Green Valley is finally doing their first multi-level project considering the length of time the land had been designated for that purpose.

ROBERT GENZER, Director of Planning and Development Department, explained that the Commission must take into the consideration the fact that when the Master Plan for Town Center was developed with public and developer input, a specified number of acreage was designated for commercial/retail/office/industrial type uses for Town Center that would service the entire Centennial Hills area. He added that each time commercial is removed, the City puts itself into a position of having to eventually add that commercial to another portion of the Northwest. MR. GENZER also emphasized that residents in that area were advised that there would be no additional commercial outside of the Town Center area.

PLANNING COMMISSION MEETING OF NOVEMBER 6, 2003
Planning and Development Department
Item 17 – GPA-3066

MINUTES – Continued:

CHAIRMAN TRUESDELL agreed that the proposal is an excellent product; however, he concurred with MR. GENZER’S comments and stated he could not support the GPA.

There was no further discussion.

CHAIRMAN TRUESDELL declared the Public Hearing closed.

NOTE: All discussion for Item 17 [GPA-3066], Item 18 [ZON-3071], Item 19 [SUP-3073], and Item 20 [SDR-3079] was held under Item 17 [GPA-3066].

(7:31 – 7:50)

1-3228/2-1

AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT

PLANNING COMMISSION MEETING OF: NOVEMBER 6, 2003

DEPARTMENT: PLANNING & DEVELOPMENT

DIRECTOR: ROBERT S. GENZER

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CONSENT

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DISCUSSION

SUBJECT:

ABEYANCE - RENOTIFICATION - ZON-3071 - D.R. HORTON, INC. ON BEHALF ROBERT J. WUESTE FAMILY, LIMITED PARTNERSHIP - Request for a Rezoning FROM: U (UNDEVELOPED) [EC-TC (EMPLOYMENT CENTER MIXED-USE-TOWN CENTER) GENERAL PLAN DESIGNATION] TO: T-C (TOWN CENTER) on 25.68 acres adjacent to the northwest corner of Gilcrease Avenue and Fort Apache Road (APN: 125-18-501-004, 005, 010, 011, 012 and 013), Ward 6 (Mack).

C.C.: 12/03/03

PROTESTS RECEIVED BEFORE:

Planning Commission Mtg.
City Council Meeting

1

APPROVALS RECEIVED BEFORE:

Planning Commission Mtg.
City Council Meeting

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RECOMMENDATION:

Staff recommends APPROVAL.

BACKUP DOCUMENTATION:

1. Location Map
2. Conditions For This Application
3. Staff Report

MOTION:

GOYNES – APPROVED subject to conditions – UNANIMOUS with McSWAIN abstaining as her firm is in current litigation with D.R. Horton.

To be heard by the City Council on 12/3/2003

NOTE: Subsequent to the meeting, it was determined that Items 17 through 20 should have been forwarded to the City Council meeting of 11/19/2003 as a result of the error in notification.

MINUTES:

CHAIRMAN TRUESDELL declared the Public Hearing open

There was no discussion.

CHAIRMAN TRUESDELL declared the Public Hearing closed.

PLANNING COMMISSION MEETING OF NOVEMBER 6, 2003
Planning and Development Department
Item 18 – ZON-3071

MINUTES – Continued:

NOTE: All discussion for Item 17 [GPA-3066], Item 18 [ZON-3071], Item 19 [SUP-3073], and Item 20 [SDR-3079] was held under Item 17 [GPA-3066].

(7:31 – 7:50)

1-3228/2-1

CONDITIONS:

Planning and Development

1. A Site Development Plan Review application shall be approved by the Planning Commission and City Council prior to approval of a Tentative Map, issuance of any permits, any site grading, and all development activity for the site.

Public Works

2. Submit a Petition of Vacation for Chieftain Street and Jo Marcy Drive for all rights-of-way in conflict with the proposed site plan. The Orders of Vacation must be recorded prior to recordation of a Final Map abutting or overlying the area to be vacated. Provide a plan for approval by the City Engineer indicating how legal access will be provided to Assessor's Parcel Number 125-18-501-010 prior to Recordation of an Order of Vacation. All parcel access issues shall be resolved prior to recordation of an Order of Vacation.
3. Dedicate an additional 10 feet of right-of-way for a total half-street width of 40 feet on Gilcrease Avenue and an additional 29 feet for a total 54 foot radius on the northwest corner of Fort Apache Road and Gilcrease Avenue adjacent to this site. Additional dedications in accordance with Standard Drawing #201.1 shall also be provided unless specifically not required in the approved Traffic Impact Analysis or alternative.
4. Construct half-street improvements, including appropriate overpaving if legally able, on Gilcrease Avenue, Fort Apache Road and Grand Teton Drive adjacent to this site concurrent with development of this site. Also, extend a minimum of two lanes of paving in the Fort Apache Road alignment from the north edge of permanent improvements northward to Grand Teton Drive adjacent to APN 125-18-501-006 and extend two lanes of paving in the Grand Teton Drive alignment from the east edge of permanent improvements eastward to Fort Apache Road adjacent to APN 125-18-501-006, if legally able, concurrent with development of this site. Install all appurtenant underground facilities, if any, adjacent to this site needed for the future traffic signal system concurrent with development of this site. Extend all required underground utilities, such as electrical, telephone, etc., located within public rights-of-way, past

the north, east, south and west boundaries of this site as necessary, prior to construction of hard surfacing (asphalt or concrete).

PLANNING COMMISSION MEETING OF NOVEMBER 6, 2003
Planning and Development Department
Item 18 – ZON-3071

CONDITIONS – Continued:

5. Provide public sewer easements for all public sewers not located within existing public street right-of-way prior to the issuance of any permits as required by the Department of Public Works. Improvement Drawings submitted to the City for review shall not be approved for construction until all required public sewer easements necessary to connect this site to the existing public sewer system have been granted to the City.
6. A Traffic Impact Analysis must be submitted to and approved by the Department of Public Works prior to the issuance of any building or grading permits, submittal of any construction drawings or the recordation of a Final Map for this site. Comply with the recommendations of the approved Traffic Impact Analysis prior to occupancy of the site. The City shall determine area traffic mitigation contribution requirements based upon information provided in the approved Traffic Impact Analysis; such monies shall be contributed prior to the issuance of any permits or the recordation of a Final Map for this site. The Traffic Impact Analysis shall also include a section addressing Standard Drawings #234.1 #234.2 and #234.3 to determine additional right-of-way requirements for bus turnouts adjacent to this site, if any; dedicate all areas recommended by the approved Traffic Impact Analysis. All additional rights-of-way required by Standard Drawing #201.1 for exclusive right turn lanes and dual left turn lanes shall be dedicated prior to or concurrent with the commencement of on-site development activities unless specifically noted as not required in the approved Traffic Impact Analysis. If additional rights-of-way are not required and Traffic Control devices are or may be proposed at this site outside of the public right-of-way, all necessary easements for the location and/or access of such devices shall be granted prior to the issuance of permits for this site. Phased compliance will be allowed if recommended by the approved Traffic Impact Analysis. No recommendation of the approved Traffic Impact Analysis, nor compliance therewith, shall be deemed to modify or eliminate any condition of approval imposed by the Planning Commission or the City Council on the development of this site.

Alternatively, in lieu of a Traffic Impact Analysis, the applicant may participate in a reasonable alternative mutually acceptable to the applicant and the Department of Public Works.

PLANNING COMMISSION MEETING OF NOVEMBER 6, 2003
Planning and Development Department
Item 18 – ZON-3071

CONDITIONS – Continued:

7. A Drainage Plan and Technical Drainage Study must be submitted to and approved by the Department of Public Works prior to the issuance of any building or grading permits, submittal of any construction drawings or the recordation of a Final Map for this site, whichever may occur first. Provide and improve all drainageways recommended in the approved drainage plan/study. The developer of this site shall be responsible to construct such neighborhood or local drainage facility improvements as are recommended by the approved Drainage Plan/Study concurrent with development of this site. In lieu of constructing improvements, in whole or in part, the developer may agree to contribute monies for the construction of neighborhood or local drainage improvements, the amount of such monies shall be determined by the approved Drainage Plan/Study and shall be contributed prior to the issuance of any building or grading permits, or the recordation of a Final Map, whichever may occur first, if allowed by the City Engineer.
8. The final layout of the subdivision shall be determined at the time of approval of the Tentative Map.

AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT

PLANNING COMMISSION MEETING OF: NOVEMBER 6, 2003

DEPARTMENT: PLANNING & DEVELOPMENT

DIRECTOR: ROBERT S. GENZER

☐

CONSENT

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DISCUSSION

SUBJECT:

ABEYANCE - RENOTIFICATION - SUP-3073 - D.R. HORTON, INC. ON BEHALF ROBERT J. WUESTE FAMILY, LIMITED PARTNERSHIP - Request for a Special Use Permit FOR A GATED SUBDIVISION WITH PRIVATE STREETS WITHIN TOWN CENTER adjacent to the northwest corner of Gilcrease Avenue and Fort Apache Road (APN: 125-18-501-004, 005, 010, 011, 012 and 013), U (Undeveloped) Zone [EC-TC (Employment Center Mixed-Use - Town Center) General Plan Designation] [Proposed: ML-TC (Medium-Low Residential - Town Center) General Plan Designation], Ward 6 (Mack).

IF APPROVED: C.C.: 12/03/03

IF DENIED: P.C.: FINAL ACTION (Unless appealed within 10 days)

PROTESTS RECEIVED BEFORE:

**Planning Commission Mtg.
City Council Meeting**

1

APPROVALS RECEIVED BEFORE:

**Planning Commission Mtg.
City Council Meeting**

0

RECOMMENDATION:

Staff recommends DENIAL.

BACKUP DOCUMENTATION:

1. Location Map
2. Conditions For This Application
3. Staff Report

MOTION:

GOYNES - DENIED – Motion carried with McSWAIN abstaining as her firm is in current litigation with D.R. Horton and NIGRO and DAVENPORT voting no.

To be heard by the City Council on 12/3/2003

NOTE: Subsequent to the meeting, it was determined that Items 17 through 20 should have been forwarded to the City Council meeting of 11/19/2003 as a result of the error in notification.

MINUTES:

CHAIRMAN TRUESDELL declared the Public Hearing open

PLANNING COMMISSION MEETING OF NOVEMBER 6, 2003
Planning and Development Department
Item 19 – SUP-3073

MINUTES – Continued:

There was no discussion.

CHAIRMAN TRUESDELL declared the Public Hearing closed.

NOTE: All discussion for Item 17 [GPA-3066], Item 18 [ZON-3071], Item 19 [SUP-3073], and Item 20 [SDR-3079] was held under Item 17 [GPA-3066].

(7:31 – 7:50)

1-3228/2-1

AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT

PLANNING COMMISSION MEETING OF: NOVEMBER 6, 2003

DEPARTMENT: PLANNING & DEVELOPMENT

DIRECTOR: ROBERT S. GENZER

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CONSENT

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DISCUSSION

SUBJECT:

ABEYANCE - RENOTIFICATION - SDR-3079 - D.R. HORTON, INC. ON BEHALF ROBERT J. WUESTE FAMILY, LIMITED PARTNERSHIP - Request for a Site Development Plan Review FOR A PROPOSED 195 UNIT SINGLE FAMILY CLUSTER DEVELOPMENT on 25.68 acres adjacent to the northwest corner of Gilcrease Avenue and Fort Apache Road (APN: 125-18-501-004, 005, 010, 011, 012 and 013), U (Undeveloped) Zone [EC-TC (Employment Center Mixed-Use - Town Center) General Plan Designation] [Proposed: ML-TC (Medium-Low Residential - Town Center) General Plan Designation], Ward 6 (Mack).

C.C.: 12/03/03

PROTESTS RECEIVED BEFORE:

Planning Commission Mtg.
City Council Meeting

1

APPROVALS RECEIVED BEFORE:

Planning Commission Mtg.
City Council Meeting

0

RECOMMENDATION:

Staff recommends DENIAL.

BACKUP DOCUMENTATION:

1. Location Map
2. Conditions For This Application
3. Staff Report

MOTION:

GOYNES - DENIED – Motion carried with McSWAIN abstaining as her firm is in current litigation with D.R. Horton and NIGRO and DAVENPORT voting no.

To be heard by the City Council on 12/3/2003

NOTE: Subsequent to the meeting, it was determined that Items 17 through 20 should have been forwarded to the City Council meeting of 11/19/2003 as a result of the error in notification.

MINUTES:

CHAIRMAN TRUESDELL declared the Public Hearing open

There was no discussion.

PLANNING COMMISSION MEETING OF NOVEMBER 6, 2003
Planning and Development Department
Item 20 – SDR-3079

MINUTES – Continued:

CHAIRMAN TRUESDELL declared the Public Hearing closed.

NOTE: All discussion for Item 17 [GPA-3066], Item 18 [ZON-3071], Item 19 [SUP-3073], and Item 20 [SDR-3079] was held under Item 17 [GPA-3066].

(7:31 – 7:50)

1-3228/2-1

AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT

PLANNING COMMISSION MEETING OF: NOVEMBER 6, 2003

DEPARTMENT: PLANNING & DEVELOPMENT

DIRECTOR: ROBERT S. GENZER

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CONSENT

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DISCUSSION

SUBJECT:

ABEYANCE - ZON-2999 - CITY OF LAS VEGAS - Request for a Rezoning FROM: U (Undeveloped) [PCD (Planned Community Development) General Plan Designation] and U (Undeveloped) Zone [PCD (Planned Community Development) General Plan Designation] under Resolution of Intent to PD (Planned Development) TO: C-V (Civic) Zone on 14.85 acres adjacent to the southeast corner of Alexander Road and Kerry Way (APN: 138-07-101-002, 003, and 004, and 138-07-103-001), Ward 4 (Brown).

C.C.: 12/03/03

PROTESTS RECEIVED BEFORE:

Planning Commission Mtg.

0

City Council Meeting

APPROVALS RECEIVED BEFORE:

Planning Commission Mtg.

0

City Council Meeting

RECOMMENDATION:

Staff recommends this item be STRICKEN.

BACKUP DOCUMENTATION:

1. Location Map
2. Conditions For This Application
3. Staff Report

MOTION:

NIGRO – STRICKEN – UNANIMOUS

MINUTES:

CHAIRMAN TRUESDELL declared the Public Hearing open

DAVID CLAPSADDLE, Planning and Development Department, requested this zoning application be stricken as the City is not currently prepared to move forward.

No one appeared in opposition.

There was no further discussion.

CHAIRMAN TRUESDELL declared the Public Hearing closed.

(6:11)

1-101

AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT

PLANNING COMMISSION MEETING OF: NOVEMBER 6, 2003

DEPARTMENT: PLANNING & DEVELOPMENT

DIRECTOR: ROBERT S. GENZER

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CONSENT

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DISCUSSION

SUBJECT:

ABEYANCE - RENOTIFICATION - ZON-3119 - SF INVESTMENTS, LIMITED LIABILITY COMPANY - Request for a Rezoning FROM: R-E (Residence Estates) TO: R-1 (Single-Family Residential) AND TO ALLOW 5.5 DWELLING UNITS PER ACRE WITHIN A RURAL PRESERVATION NEIGHBORHOOD BUFFER WHERE 3.0 UNITS PER ACRE IS PERMITTED on 10 acres adjacent to the northeast corner of Peak Drive and Maverick Street (APN: 138-14-601-029, 030; 138-14-602-021, 138-14-701-001, and 002), Ward 5 (Weekly).

C.C.: 12/03/03

PROTESTS RECEIVED BEFORE:

Planning Commission Mtg.

2

City Council Meeting

APPROVALS RECEIVED BEFORE:

Planning Commission Mtg.

2

City Council Meeting

RECOMMENDATION:

Staff recommends APPROVAL.

BACKUP DOCUMENTATION:

1. Location Map
2. Conditions For This Application
3. Staff Report

MOTION:

GOYNES – APPROVED subject to conditions – UNANIMOUS

To be heard by the City Council on 12/3/2003

MINUTES:

CHAIRMAN TRUESDELL declared the Public Hearing open

DAVID CLAPSADDLE, Planning and Development Department, briefly explained that this project is a residential-planned development at five units per acre. The General Plan Amendment that went forward to the City Council was tabled in order to allow the rezoning request and the site development plan review to catch up to it. MR. CLAPSADDLE clarified that the total lots for this planned development is 34 lots and meets all the standards of the code. Staff recommended approval subject to conditions.

PLANNING COMMISSION MEETING OF NOVEMBER 6, 2003
Planning and Development Department
Item 22 – ZON-3119

MINUTES – Continued:

ATTORNEY JENNIFER LAZOVICH, 3800 Howard Hughes Parkway, appeared on behalf of the applicant. She concurred with MR. CLAPSADDLE'S presentation on the background of this development. She added that the General Plan Amendment did receive staff's support. On the overhead, she indicated on the site plan the exact location of the development with its surrounding surface streets, adjacency to other developments and location of schools. ATTORNEY LAZOVICH also mentioned the developer's efforts to comply with the wishes of the neighbors.

ALICE KUKEC, 2860 Mustang Street, thanked the developer for working with the residents and remarked that this is a very nice product and will fit in with the surrounding neighborhood.

CHAD BLACKHAM, 2870 Maverick Street, felt the development should be at a minimum of 10,000 square feet. He expressed his hope that the developer would maintain the rural aspects of the area..

TODD FARLOW, 240 North 19th Street, expressed his dislike for cul-de-sacs.

COMMISSIONER McSWAIN felt it would be a better project if the properties were lined up along both the northern and southern boundaries, two to one, which she felt would be accomplished by reducing the number of lots. ATTORNEY LAZOVICH replied that the applicant would be acceptable to the reduction in the number of lots.

GINA VENGLASS, Public Works Department, recommended modification of the condition related to the public streetlights and adding a condition related to the construction of sidewalks. ATTORNEY LAZOVICH concurred with both the modification and the addition of a condition governing the sidewalks.

No one appeared in opposition.

There was no further discussion.

CHAIRMAN TRUESDELL declared the Public Hearing closed.

Note: All discussion for Item 22 [ZON-3119] and Item 23 [SDR-3235] was held under Item 22 [ZON-3119].

(7:50 – 8:11)

2-356

PLANNING COMMISSION MEETING OF NOVEMBER 6, 2003
Planning and Development Department
Item 22 – ZON-3119

CONDITIONS:

Planning and Development

1. A General Plan Amendment (GPA-2570) to an L (Low Density Residential) land use designation approved by the City Council.
2. A Resolution of Intent with a two-year time limit.
3. A Site Development Plan Review application approved by the Planning Commission or City Council prior to issuance of any permits, any site grading, and all development activity for the site.

Public Works

4. Dedicate 30 feet of right-of-way adjacent to this site for Mustang Street, an additional 10 feet of right-of-way for a total half-street width of 40 feet on the north side of Peak Drive, 40 feet for the south side of Peak Drive, 30 feet for the west side of Maverick north of Peak Drive, 30 feet for the east side of Maverick Street south of Peak Drive, a 20 foot radius at the northeast corner of Peak Drive & Mustang Street, a 20 foot radius at the northwest corner of Peak Drive & Maverick Street, and a 20 radius at the southeast corner of Peak Drive & Maverick Street prior to the issuance of any permits.
5. Construct half street improvements, including appropriate overpaving, and full street improvements as appropriate on Peak Drive and Maverick Street adjacent to this site. Construct half street improvements on Mustang Street, including appropriate overpaving, adjacent to this site. Also, construct appropriate transitional paving, where legally able, on Peak Drive, Maverick Street and Mustang Street adjacent to this site concurrent with development. Install all appurtenant underground facilities, if any, adjacent to this site needed for the future traffic signal system concurrent with development. All existing paving damaged or removed by this development shall be restored at its original location and to its original width concurrent with development.
6. Coordinate with the Collection Systems Planning Section of the Department of Public Works to extend public sanitary sewer to the north edge of this site in Maverick Street at a location and depth acceptable to the City Engineer. Provide public sewer easements for all public sewers not located within existing public street right-of-way prior to the issuance of any permits.

PLANNING COMMISSION MEETING OF NOVEMBER 6, 2003
Planning and Development Department
Item 22 – ZON-3119

CONDITIONS – Continued:

7. A Traffic Impact Analysis must be submitted to and approved by the Department of Public Works prior to the issuance of any building or grading permits, submittal of any construction drawings or the recordation of a Map subdividing this site. Comply with the recommendations of the approved Traffic Impact Analysis prior to occupancy of the site. The City shall determine area traffic mitigation contribution requirements based upon information provided in the approved Traffic Impact Analysis; such monies shall be contributed prior to the issuance of any permits for or the recordation of a Map subdividing this site. The Traffic Impact Analysis shall also include a section addressing Standard Drawings #234.1 #234.2 and #234.3 to determine additional right-of-way requirements for bus turnouts adjacent to this site, if any; dedicate all areas recommended by the approved Traffic Impact Analysis. All additional rights-of-way required by Standard Drawing #201.1 for exclusive right turn lanes and dual left turn lanes shall be dedicated prior to or concurrent with the commencement of on-site development activities unless specifically noted as not required in the approved Traffic Impact Analysis. If additional rights-of-way are not required and Traffic Control devices are or may be proposed at this site outside of the public right-of-way, all necessary easements for the location and/or access of such devices shall be granted prior to the issuance of permits for this site. Phased compliance will be allowed if recommended by the approved Traffic Impact Analysis. No recommendation of the approved Traffic Impact Analysis, nor compliance therewith, shall be deemed to modify or eliminate any condition of approval imposed by the Planning Commission or the City Council on the development of this site.

Alternatively, in lieu of a Traffic Impact Analysis, the applicant may participate in a reasonable alternative mutually acceptable to the applicant and the Department of Public Works.

PLANNING COMMISSION MEETING OF NOVEMBER 6, 2003
Planning and Development Department
Item 22 – ZON-3119

MINUTES – Continued:

8. A Drainage Plan and Technical Drainage Study must be submitted to and approved by the Department of Public Works prior to the issuance of any building or grading permits, submittal of any construction drawings or the recordation of a Map subdividing this site, whichever may occur first. Provide and improve all drainageways recommended in the approved drainage plan/study. The developer of this site shall be responsible to construct such neighborhood or local drainage facility improvements as are recommended by the City of Las Vegas Neighborhood Drainage Studies and approved Drainage Plan/Study concurrent with development of this site. In lieu of constructing improvements, in whole or in part, the developer may agree to contribute monies for the construction of neighborhood or local drainage improvements, the amount of such monies shall be determined by the approved Drainage Plan/Study and shall be contributed prior to the issuance of any building or grading permits, or the recordation of a Map subdividing this site, whichever may occur first, if allowed by the City Engineer.

AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT

PLANNING COMMISSION MEETING OF: NOVEMBER 6, 2003

DEPARTMENT: PLANNING & DEVELOPMENT

DIRECTOR: ROBERT S. GENZER

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CONSENT

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DISCUSSION

SUBJECT:

SDR-3235 - SF INVESTMENTS, LIMITED LIABILITY COMPANY - Request for a Site Development Plan Review FOR A 34-LOT SINGLE-FAMILY RESIDENTIAL DEVELOPMENT on 10 acres adjacent to the northeast, northwest and southwest corners of Peak Drive and Maverick Street (APN: 138-14-601-029, 030; 138-14-602-021, 138-14-701-001, and 002), R-E (Residence Estates) Zone [Proposed: R-1 (Single Family Residential) Zone], Ward 5 (Weekly).

C.C.: 12/03/03

PROTESTS RECEIVED BEFORE:

**Planning Commission Mtg.
City Council Meeting**

0

APPROVALS RECEIVED BEFORE:

**Planning Commission Mtg.
City Council Meeting**

2

RECOMMENDATION:

Staff recommends APPROVAL.

BACKUP DOCUMENTATION:

1. Location Map
2. Conditions For This Application
3. Staff Report

MOTION:

GOYNES – APPROVED subject to conditions and amending original Condition 16 as follows:

16. A Master Streetlight Plan of public streetlights for the overall subdivision shall be approved prior to the submittal of any construction drawings for this site. *Installation of public streetlights on the interior cul-de-sacs may be deferred, provided the developer construct all appropriate undergrounds for the future installation of streetlights, and provides to the City the streetlights for future installation, or contributes equivalent monies in lieu of such requirements in accordance with City rural street standards.*

And adding the following conditions:

- *Only lots numbered 5 to 9, 10 to 13, 29 and 31 on the site development plan shall be allowed to have two-story homes. The remainder of the 23 lots shall be limited to single story homes. There shall be a maximum of 34 lots in total.*
- *Construction of sidewalk shall be deferred on Mustang Street adjacent to this site, provided the developer signs and records a Covenant Running with Land agreement for the future installation of all sidewalk so deferred prior to the issuance of any permits for this site.*

PLANNING COMMISSION MEETING OF NOVEMBER 6, 2003
Planning and Development Department
Item 23 – SDR-3235

MOTION – Continued:

To be heard by the City Council on 12/3/2003

MINUTES:

CHAIRMAN TRUESDELL declared the Public Hearing open

No one appeared in opposition.

There was no discussion.

CHAIRMAN TRUESDELL declared the Public Hearing closed.

Note: All discussion for Item 22 [ZON-3119] and Item 23 [SDR-3235] was held under Item 22 [ZON-3119].

(7:50 – 8:11)

2-356

CONDITIONS:

Planning and Development

1. A Rezoning [ZON-3119] to an R-1 (Single Family Residential) Zoning District approved by the City Council.
2. This Site Development Plan Review shall expire two years from date of final approval unless it is exercised or an Extension of Time is granted by the City Council.
3. Prior to the time an application is made for a Tentative Map, a Waiver of Title 18.12.160 shall be approved by City Council.
4. All development shall be in conformance with the site plan, landscaping plan and building elevations, except as amended by conditions herein.
5. The standards for this development shall include the following: minimum lot size of 6,500 square feet, minimum distance between buildings of 10 feet, lot coverage shall not exceed 50%, and building height shall not exceed two stories or 35 feet, whichever is less.

PLANNING COMMISSION MEETING OF NOVEMBER 6, 2003
Planning and Development Department
Item 23 – SDR-3235

CONDITIONS – Continued:

6. The site plan shall be revised and approved by Planning and Development Department staff, prior to the time application is made for a tentative map, to reflect minimum lot widths of 30 feet for lots located along the circular portion of a cul-de-sacs and 65 feet for all other lots. Lot widths shall be measured at the front setback line (20 feet) as required by Title 19.08.
7. The setbacks for this development shall be a minimum of 20 feet to the front of the house, 20 feet to the front of the garage as measured from back of sidewalk or from back of curb if no sidewalk is provided, 5 feet on the side, 15 feet on the corner side, and 15 feet in the rear.
8. The site plan shall be revised and approved by Planning and Development Department staff, prior to the time application is made for a tentative map, to reflect the six-foot perimeter landscape planter areas to be dedicated as common lots to be maintained by a homeowner's association.
9. A landscaping plan must be submitted prior to or at the same time application is made for a building permit.
10. Air conditioning units shall not be mounted on rooftops.
11. All utility boxes exceeding 27 cubic feet in size shall meet the standards of Municipal Code Section 19.12.050.
12. Any proposed property line wall shall be a decorative block wall, with at least 20 percent contrasting materials. Wall heights shall be measured from the side of the fence with the least vertical exposure above the finished grade, unless otherwise stipulated.
13. A fully operational fire protection system, including fire apparatus roads, fire hydrants and water supply, shall be installed and shall be functioning prior to construction of any combustible structures.
14. All City Code requirements and design standards of all City departments must be satisfied.

Public Works

15. Meet with the Traffic Engineering Representative in Land Development for assistance in the possible redesign of the proposed street layout and on site circulation prior to the submittal of any construction plans or the issuance of any permits, whichever may occur first.

PLANNING COMMISSION MEETING OF NOVEMBER 6, 2003
Planning and Development Department
Item 23 – SDR-3235

CONDITIONS– Continued:

16. A Master Streetlight Plan of public streetlights for the overall subdivision shall be approved prior to the submittal of any construction drawings for this site.
17. The final layout of the subdivision shall be determined at the time of approval of the Tentative Map.
18. Site development to comply with all applicable conditions of approval for ZON-3119 and all other subsequent site-related actions.
19. The approval of all Public Works related improvements shown on this Site Development Plan Review is in concept only. Specific design and construction details relating to size, type and/or alignment of improvements, including but not limited to street, sewer and drainage improvements, shall be resolved prior to submittal of a Tentative Map or construction drawings, whichever may occur first. No deviations from adopted City Standards shall be allowed unless specific written approval for such is received from the City Engineer prior to the submittal of a Tentative Map or construction drawings, whichever may occur first.
20. Meet with the Fire Protection Engineering Section of the Department of Fire Services prior to submittal of a Tentative Map for this site. The Design and layout of all onsite private circulation and access drives shall meet the approval of the Department of Fire Services.

AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT

PLANNING COMMISSION MEETING OF: NOVEMBER 6, 2003

DEPARTMENT: PLANNING & DEVELOPMENT

DIRECTOR: ROBERT S. GENZER

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CONSENT

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DISCUSSION

SUBJECT:

ABEYANCE - SUP-2859 - DESERT DODGE ON BEHALF OF DOUGLAS KAYS -
Request for a Special Use Permit FOR A PROPOSED AUTO DEALER INVENTORY STORAGE
at 1717 South Decatur Boulevard (APN:162-06-301-002), C-1 (Limited Commercial) Zone, Ward 1
(Moncrief).

IF APPROVED: C.C.: 12/03/03

IF DENIED: P.C.: FINAL ACTION (Unless appealed within 10 days)

PROTESTS RECEIVED BEFORE:

Planning Commission Mtg.
City Council Meeting

0

APPROVALS RECEIVED BEFORE:

Planning Commission Mtg.
City Council Meeting

0

RECOMMENDATION:

Staff recommends DENIAL.

BACKUP DOCUMENTATION:

1. Location Map
2. Conditions For This Application
3. Staff Report

MOTION:

DAVENPORT – ABEYANCE to the 11/20/2003 Planning Commission meeting – UNANIMOUS

MINUTES:

CHAIRMAN TRUESDELL declared the Public Hearing open

DAVID CLAPSADDLE, Planning and Development Department, explained that the applicant had requested the application be held to the 11/20/2003 Planning Commission meeting. The application, however, was held to the 11/6/2003 meeting. MR. CLAPSADDLE stated that staff met with the applicant and recommended he provide a status report on the update of the project.

DAVID WICK, 4701 West Sahara Avenue, appeared on behalf of the applicant. He stated that staff previously had concerns regarding the parking analysis and the method of screening. He explained that

in the interim, the applicant has secured an agreement to extend the storage area. MR. WICK referenced the parking analysis and remarked that it complies with the standards of the code.

PLANNING COMMISSION MEETING OF NOVEMBER 6, 2003
Planning and Development Department
Item 24 – SUP-2859

MINUTES – Continued:

MR. WICK finalized by stating that the applicant will continue to work with staff with regard to the appropriate screening.

MR. CLAPSADDLE clarified that the Dodge dealership is still operating on the site and has already been cited for not having a use permit. Regarding the parking, staff believes the parking standards will be met. MR. CLAPSADDLE stated that the Commission has the option to hear the item or hold it in abeyance for an additional two weeks, allowing the applicant the opportunity to provide additional information.

DEPUTY CITY ATTORNEY BRYAN SCOTT explained that legislation was recently passed limiting the number of abeyances to two. He informed the applicant that should the Commission desire to grant an additional abeyance, it would be the last one unless there is good cause to grant any further abeyances.

CHAIRMAN TRUESDELL expressed concern with holding this application particularly because the applicant is operating without a use permit. MR. WICK assured that he would be prepared to go forward when the application is heard at the 11/20/2003 Planning Commission meeting.

No one appeared in opposition.

There was no further discussion.

CHAIRMAN TRUESDELL declared the Public Hearing closed.

(6:11 – 6:19)

1-195

AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT

PLANNING COMMISSION MEETING OF: NOVEMBER 6, 2003

DEPARTMENT: PLANNING & DEVELOPMENT

DIRECTOR: ROBERT S. GENZER

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CONSENT

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DISCUSSION

SUBJECT:

ABEYANCE - RENOTIFICATION - SUP-2904 - LIBORIO MARKET ON BEHALF OF TRIPLE A, LIMITED LIABILITY COMPANY - Request for a Special Use Permit FOR SLAUGHTER AND PROCESSING OF LIVE POULTRY and Waivers to allow deliveries from the hours of 4:00 a.m. to 8:00 p.m., where 8:00 a.m. to 8:00 p.m. are required; to permit the delivery of up to 300 chickens at one time, where the limit is 50 chickens per day; to permit the keeping of chickens on-site during over-night hours where no over-night storage of live chickens is permitted at 930 North Lamb Boulevard (APN:140-30-601-016), R-MHP (Residential Mobile/Manufactured Home Park) Zone under Resolution of Intent to C-1 (Limited Commercial) Zone, Ward 3 (Reese).

IF APPROVED: C.C.: 12/03/03

IF DENIED: P.C.: FINAL ACTION (Unless appealed within 10 days)

PROTESTS RECEIVED BEFORE:

**Planning Commission Mtg.
City Council Meeting**

12

APPROVALS RECEIVED BEFORE:

**Planning Commission Mtg.
City Council Meeting**

4

RECOMMENDATION:

Staff recommends APPROVAL.

BACKUP DOCUMENTATION:

1. Location Map
2. Conditions For This Application
3. Staff Report

MOTION:

GOYNES – APPROVED subject to conditions and amending the following conditions:

Condition 1 (g) The maximum number of live birds allowed to be kept or maintained on site at any one time is *three hundred*.

Motion carried with TRUEDELL and EVANS voting No

Condition 1 (h) The delivery and unloading of live poultry shall be at a designated sealed loading dock and shall take place only between the hours of *4:00 a.m. and 8:00 p.m.*

Motion carried with TRUEDELL and EVANS voting No

PLANNING COMMISSION MEETING OF NOVEMBER 6, 2003
Planning and Development Department
Item 25 – SUP-2904

MOTION – Continued:

And APPROVED the keeping of chickens on site no longer than 48 hours by deleting Condition 1(n) of the original conditions.

Motion carried with TRUEDELL and EVANS voting No

And amending Condition 3 as follows:

3. This Special Use Permit shall be reviewed in *one year* after permits are issued for the poultry processing as a public hearing before the Planning Commission and City Council.

– **UNANIMOUS**

To be heard by the City Council on 12/3/2003.

NOTE: The motion by GOYNES for approval of the Special Use Permit, UNANIMOUS, was rescinded and a subsequent motion was made for APPROVAL subject to conditions and amending Condition 3 as noted above - UNANIMOUS.

MINUTES:

CHAIRMAN TRUEDELL declared the Public Hearing open

DAVID CLAPSADDLE, Planning and Development Department, stated that the City Council approved a Text Amendment to allow limited slaughter of poultry in connection with a commercial operation. He added that there are 15 base conditions devised to ensure neighborhood compatibility. He explained that since this is the first application since the adoption of that text amendment there is no past history to revert back to.

ATTORNEY J.T. MORAN IIIM, 630 South 4th Street, JOHN ALEJO, TONY ALAMO, SR., and TONY ALAMO, JR., 171 South Hudson Avenue, Pasadena, California, appeared to represent this application. ATTORNEY MORAN stated that the requested use is currently performed in the State of California and complies with all requirements of both the State and Municipal laws. He explained that plans for this type of use was based on the needs of those customers who desired such a market in their community. He invited people to visit the store and experience what the applicants plan in their endeavor to meet consumer expectations. ATTORNEY MORAN further explained each of the waiver requests.

He emphasized that the most ideal time to conduct this service would be from 4:00 a.m. to 8:00 p.m. He also stated that the applicants request a maximum delivery of 300 birds versus 50 which was

recommended by staff. Lastly, the applicants requested allowing the birds to remain overnight without having to process the birds at the end of the day. He added that the facility has accommodations for that.

PLANNING COMMISSION MEETING OF NOVEMBER 6, 2003
Planning and Development Department
Item 25 – SUP-2904

MINUTES – Continued:

MR. ALEJO concurred with ATTORNEY MORAN'S presentation. He further explained the reasoning for requesting the increase of birds to 300 daily, stating that the estimates are based on demand and currently there are approximately 15,000 customers who patronize his market on a weekly basis. He explained that he has spent an enormous amount of money to purchase specialized equipment for this process and to procure the trucks required for transporting the birds, to hire a driver, fuel and maintenance of the commercial vehicle.

MR. ALEJO added that this exact process has been ongoing in Los Angeles for the past six years. He emphasized his close affiliation with the Department of Food and Agriculture and the Los Angeles County Health Department and alluded to the firm's integrity and business reputation for maintaining that business relationship.

The public hearing was attended by a number of citizens who strongly opposed this type of product in their community; however, there were numerous comments of support from individuals who approved of this type of market. Speakers who voiced their opinions are listed as follows: ANNIE KOLSTAD, 1404 Autumn Glenn Circle; TODD FARLOW, 240 North 19th Street, JOHN RICHARDS, 1200 West Lamb Boulevard; ROBERT BUTTON, 4565 Dutch Gold Avenue; CURT HUBBARD, 1200 North Lamb Boulevard, #125; AL GALLEO, citizen of Las Vegas; OTTO MERIDA, 8001 Painted Clay Avenue; JENNIFER ANGEL, 5429 Liverpool Road; MR. RAPALLO, 1675 Lovebird Lane.

Those who opposed the application expressed the following comments: Zoning regulations are for the protection of the homeowners and the City should bear this in mind. The general consensus included objection to keeping the birds overnight because they would be stored in cages too small for them to be housed for such a long period. Comments were made regarding disposal of the entrails and feces and the potential for this waste to be disposed of into the nearby wash. One speaker made reference to the detriment of the community if these birds carried any viruses. The majority of protests focused on smells especially during the summer when it is at its hottest.

Some of the citizens who supported this application spoke of visiting the Los Angeles store and commended the owners for running a clean and well-maintained facility. A number of citizens felt there would be no adverse affect to the neighborhood as far as odor and noise. Representing the Hispanic population, one speaker asked the Commission to approve this application as it is very much a part of the economic culture of its people. Most of the supporters emphasized their preference for fresh chicken versus meat that has been frozen. One speaker stated that even with increasing the number of birds to 300, would not be an adequate amount considering the 350,000 Hispanic population in the valley.

PLANNING COMMISSION MEETING OF NOVEMBER 6, 2003
Planning and Development Department
Item 25 – SUP-2904

MINUTES – Continued:

COMMISSIONER GOYNES stated that this is a modern operation and a cultural issue as well. He stated that there are rules and laws that are set in place to mitigate issues brought up by the opponents. Having conferred with the Health District representatives, COMMISSIONER GOYNES stated that they eased many concerns based on their visit to the Los Angeles plant and the Health District regulations that currently exist.

COMMISSIONER McSWAIN supported increasing the number of birds to 300 based on the demand factor. Being a little apprehensive about holding the birds overnight, she asked MR. ALEJO to briefly explain the process and reasons for this request. MR. ALEJO explained that there are three separate rooms within the facility, one is a Holding Room that is properly ventilated and this is where the birds would be stored. He reiterated that neither the Holding Room nor the processing area would be visible to the customers. COMMISSIONER McSWAIN remarked that she was not prepared to support some of the changes and specifically voiced her concern regarding the 4:00 a.m. schedule primarily because of the location of the facility adjacent to residential. After thoroughly reviewing the applicant's request and the information provided, she stated that she would reverse her decision regarding the hours of delivery inasmuch as deliveries are currently allowed outside the hours of 8:00 a.m. to 8:00 p.m.

GLENN SAVAGE and PAUL KLAUS, representing the Health District, expressed some concerns regarding the holding area and whether it was adequate to accommodate 300 birds. He also questions the feeding and watering of the birds and where the feed would be stored. MR. KLAUS stated that further conversations between the applicants and the Health District need to take place regarding cleaning of the excrement and waste removal.

COMMISSIONER NIGRO felt assured that regardless of whether this application is approved, the Health District would still need to review and sign off on it. He emphasized to the applicants that the text amendment was a product of intense input not only from government officials but the public as well. He stated for the record that he had no qualms about increasing the number of birds to 300 or with the types of trucks used for the transporting.

COMMISSIONER EVANS also mentioned the tremendous amount of time, effort and input that went into the text amendment. He disagreed that being the very first application, that it did not seem appropriate to request so many waivers.

COMMISSIONER DAVENPORT, with affirmation from the Health District representatives, stated that with regard to the Planning Commission's approval of 300 birds, if the Health District determined

only 100 was appropriate, the applicants would be limited to that amount. He stated he had no problem with supporting the waivers.

PLANNING COMMISSION MEETING OF NOVEMBER 6, 2003
Planning and Development Department
Item 25 – SUP-2904

MINUTES – Continued:

There was no further discussion.

CHAIRMAN TRUESDELL declared the Public Hearing closed.

(8:11 – 9:25)

2-1061/3-1

CONDITIONS:

Planning and Development

1. No waivers shall be granted to these base conditions required to approve a Special Use Permit:
 - (a) The slaughtering and processing of live poultry shall be limited to chickens. The slaughter or processing of any other poultry is prohibited.
 - (b) The use may not be located closer than one thousand five hundred feet from any other facility used for the slaughter and processing of live poultry.
 - (c) The slaughter and processing of poultry shall occur only as an accessory use to a retail commercial establishment.
 - (d) The sale of poultry on the site shall be limited to retail sales of processed poultry.
 - (e) There shall be no sale of live poultry from the site and no use of the site for the distribution of live or processed poultry for sale off-site.
 - (f) All live poultry shall be stored within an enclosure structure on the site where the processing will take place. The slaughter and processing of poultry shall take place in an enclosed structure that is operated in accordance with all Federal, state and local regulatory criteria, including without limitation all applicable regulations of the Clark County Health District. The processing facility must be available at any time for inspection by any and all regulatory agencies with jurisdiction.

PLANNING COMMISSION MEETING OF NOVEMBER 6, 2003
Planning and Development Department
Item 25 – SUP-2904

CONDITIONS - Continued:

- (g) The maximum number of live birds allowed to be kept or maintained on site at any one time is fifty.
 - (h) The delivery and unloading of live poultry shall be at a designated sealed loading dock and shall take place only between the hours of 8:00 am to 8:00 pm.
 - (i) The exterior and interior of a processing facility shall be maintained in an attractive, safe and sanitary condition at all times, and all on-site activity must be conducted so as not to create noise, dust, debris, odors or other similar nuisances to surrounding property owners.
 - (j) Areas used for slaughtering and butchering shall not exceed 525 square feet and shall be located in an area not readily available to the public.
 - (k) All waste and debris shall be removed from the processing facility on a daily basis in accordance with all Federal, State and local regulatory criteria, including without limitation applicable regulations of the Clark County Health District. Waste removal shall take place only between the hours of 8:00 am to 8:00 pm.
 - (l) No slaughtering or butchering waste of any kind may be stored outside at any time. All such waste, including any contaminated paper or cardboard, shall be stored indoors in a temperature controlled, sealed room.
 - (m) All glass viewing areas to be used by customers for bird selection shall be installed a minimum of 48 inches above floor level.
 - (n) No live poultry shall remain on-site overnight. Any live poultry not sold by 4:00 pm must be slaughtered, processed and packaged for sale with other poultry products.
 - (o) The processing facility shall be landscaped and screened as required in connection with Site Development Plan Review.
2. Conformance with all standards of applicable regulatory agencies.

3. This Special Use Permit shall be reviewed in two years after permits are issued for the poultry processing as a public hearing before the Planning Commission and City Council.

AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT

PLANNING COMMISSION MEETING OF: NOVEMBER 6, 2003

DEPARTMENT: PLANNING & DEVELOPMENT

DIRECTOR: ROBERT S. GENZER

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CONSENT

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DISCUSSION

SUBJECT:

ABEYANCE - RENOTIFICATION - SUP-2975 - MASAE AKAMINE ON BEHALF OF GREAT AMERICAN PLAZA, LIMITED LIABILITY COMPANY - Request for a Special Use Permit FOR A RESTAURANT SERVICE BAR and a Waiver of the 400-foot distance separation requirement from protected uses at 8320 West Sahara Avenue, Suite 180 (APN: 163-04-416-007), U (Undeveloped) Zone under Resolution of Intent to C-1 (Limited Commercial) Zone, Ward 1 (Moncrief).

IF APPROVED: C.C.: 12/03/03

IF DENIED: P.C.: FINAL ACTION (Unless appealed within 10 days)

PROTESTS RECEIVED BEFORE:

Planning Commission Mtg.
City Council Meeting

0

APPROVALS RECEIVED BEFORE:

Planning Commission Mtg.
City Council Meeting

0

RECOMMENDATION:

Staff recommends APPROVAL.

BACKUP DOCUMENTATION:

1. Location Map
2. Conditions For This Application
3. Staff Report

MOTION:

McSWAIN – APPROVED subject to conditions – **UNANIMOUS** with **TRUESDELL** abstaining as a constituent in his office has a possible transaction with the landlord on property in the area.

To be heard by the City Council on 12/3/2003

MINUTES:

VICE CHAIRMAN NIGRO declared the Public Hearing open

DAVID CLAPSADDLE, Planning and Development Department, explained that this is a restaurant/service bar located in the Great American Plaza Commercial Center. Staff recommended approval subject to conditions.

PLANNING COMMISSION MEETING OF NOVEMBER 6, 2003
Planning and Development Department
Item 26 – SUP-2975

MINUTES – Continued:

ATTORNEY JENNIFER LAZOVICH, 3800 Howard Hughes Parkway, appeared on behalf of the applicant, and concurred with staff's recommendations.

No one appeared in opposition.

There was no further discussion.

VICE CHAIRMAN NIGRO declared the Public Hearing closed.

(9:42 – 9:44)

3-542

CONDITIONS:

Planning and Development

1. A Waiver to the 400 foot separation distance is approved. Conformance to all other Minimum Requirements under Title 19.04.050 for a Restaurant Service Bar use.
2. Conformance to applicable Conditions of Approval for Rezoning (Z-0035-02) and Site Development Plan Review [Z-0035-02(1)].
3. This Special Use Permit shall expire two years from the date of final approval, unless it is exercised or an Extension of Time is granted by the City Council.
4. All City Code requirements and design standards of all City departments must be satisfied.
5. Approval of this Special Use Permit does not constitute approval of a liquor license.
6. This business shall operate in conformance to Chapter 6.50 of the City of Las Vegas Municipal Code.

AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT

PLANNING COMMISSION MEETING OF: NOVEMBER 6, 2003

DEPARTMENT: PLANNING & DEVELOPMENT

DIRECTOR: ROBERT S. GENZER

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CONSENT

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DISCUSSION

SUBJECT:

ABEYANCE - RENOTIFICATION - SDR-2936 - PATRICK H. MEADS - Request for a Site Development Plan Review and a Waiver of the perimeter and parking lot landscaping standards and parking lot location standards, a Waiver of side yard setback requirements to six feet and eight feet where a 10-foot side yard setback is required, and a Waiver of the Commercial Development Standards FOR A PROPOSED 2,255 SQUARE-FOOT, ONE-STORY COMMERCIAL BUILDING (DRY CLEANING) on 0.17 acres located at 1377 Miller Avenue (APN: 139-21-510-081), C-2 (General Commercial) Zone, Ward 5 (Weekly).

C.C.: 12/03/03

PROTESTS RECEIVED BEFORE:

Planning Commission Mtg.

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City Council Meeting

APPROVALS RECEIVED BEFORE:

Planning Commission Mtg.

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City Council Meeting

RECOMMENDATION:

Staff recommends DENIAL.

BACKUP DOCUMENTATION:

1. Location Map
2. Conditions For This Application
3. Staff Report

MOTION:

NIGRO – APPROVED subject to conditions – Motion carried with GOYNES voting No.

To be heard by the City Council on 12/3/2003.

MINUTES:

CHAIRMAN TRUESDELL declared the Public Hearing open

GARY LEOBOLD, Planning and Development Department, recalled that this item was previous held from the October 9, 2003 Planning Commission meeting in order for the applicant to meet with staff and resolve issues regarding the design of the project. MR. LEOBOLD stated that the applicant made a concerted effort to reconfigure the building, meeting the setback and parking requirements despite the unique configuration of the parcel.

PLANNING COMMISSION MEETING OF NOVEMBER 6, 2003
Planning and Development Department
Item 27 – SDR-2936

MINUTES – Continued:

MR. LEOBOLD stated that the applicant also has included appropriate landscaping to the east and the west side of the site but has requested a waiver of the parking lot perimeter landscaping that staff feels is appropriate due to the constraining nature of the site.

PATRICK MEADS, the applicant, 1401 West Miller Street, agreed with MR. LEOBOLD'S report and concurred with staff's recommendations.

Both COMMISSIONERS GOYNES and McSWAIN commended the applicant on working with staff and reworking his site plan.

No one appeared in opposition.

There was no further discussion.

CHAIRMAN TRUESDELL declared the Public Hearing closed.
(9:44 – 9:50)

3-616

CONDITIONS:

Planning and Development

1. This Site Development Plan Review shall expire two years from date of final approval unless it is exercised or an Extension of Time is granted by the City Council.
2. All development shall be in conformance with the site plan and building elevations, except as amended by conditions herein.
3. The site plan shall be revised and approved by Planning and Development Department staff, prior to the time application is made for a building permit, to reflect six-foot (6') perimeter walls along the south, east, and west property lines. Parking on the site shall be striped according to Title 19.10 standards. The trash enclosure shall be roofed in accordance with Commercial Development Standards (Title 19.08.045).
4. All mechanical equipment, air conditioners and trash areas shall be fully screened in views from the abutting streets.
5. Non-residential property lighting shall be directed away from residential property or screened, and shall not create fugitive lighting on adjacent properties.

PLANNING COMMISSION MEETING OF NOVEMBER 6, 2003
Planning and Development Department
Item 27 – SDR-2936

CONDITIONS– Continued:

6. All utility boxes exceeding 27 cubic feet in size shall meet the standards of Title 19.12.050.
7. Any property line wall shall be a decorative block wall, with at least 20 percent contrasting materials. Wall heights shall be measured from the side of the fence with the least vertical exposure above the finished grade, unless otherwise stipulated.
8. All City Code requirements and design standards of all City departments must be satisfied.

Public Works

9. Remove all substandard public street improvements and unused driveway cuts adjacent to this site, if any, and replace with new improvements meeting current City Standards concurrent with development of this site.
10. Meet with the Traffic Engineering Representative in Land Development for assistance in the possible redesign of the proposed driveway access, on site circulation and parking lot layout prior to the submittal of any construction plans or the issuance of any permits, whichever may occur first. Driveways shall be designed, located and constructed in accordance with Standard Drawing #222A.
11. Meet with the Flood Control Section of Public Works for assistance with finished floor elevations of any proposed buildings and drainage flows in the area prior to the submittal of civil construction drawings or issuance of building permits.

AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT

PLANNING COMMISSION MEETING OF: NOVEMBER 6, 2003

DEPARTMENT: PLANNING & DEVELOPMENT

DIRECTOR: ROBERT S. GENZER

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CONSENT

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DISCUSSION

SUBJECT:

ABEYANCE - SDR-2952 - McKINLEY M & L 1993 LIVING TRUST, ET AL - Request for a Site Development Plan Review, A REDUCTION IN THE AMOUNT OF REQUIRED PERIMETER AND PARKING LOT LANDSCAPING, A ZERO FOOT SIDE YARD SETBACK WHERE 10 FEET IS THE MINIMUM SETBACK REQUIRED, AND WAIVERS OF THE COMMERCIAL DEVELOPMENT STANDARDS FOR A PROPOSED 7,307 SQUARE-FOOT, ONE-STORY OFFICE BUILDING AT 2605 WEST CHARLESTON BOULEVARD; AND FOR MINOR EXTERNAL IMPROVEMENTS TO AN EXISTING 8,573 SQUARE-FOOT, ONE-STORY OFFICE BUILDING at 2603 West Charleston Boulevard (APN: 162-05-512-006 and 007), C-D (Designed Commercial) Zone, Ward 1 (Moncrief).

C.C.: 12/03/03

PROTESTS RECEIVED BEFORE:

**Planning Commission Mtg.
City Council Meeting**

2

APPROVALS RECEIVED BEFORE:

**Planning Commission Mtg.
City Council Meeting**

0

RECOMMENDATION:

Staff recommends APPROVAL.

BACKUP DOCUMENTATION:

1. Location Map
2. Conditions For This Application
3. Staff Report

MOTION:

NIGRO – APPROVED subject to conditions – **UNANIMOUS** with McSWAIN abstaining as Cragin and Pike has previously provided the insurance needs of her firm and although they no longer provide that service, she still has some residual business with that firm.

To be heard by the City Council on 12/3/2003.

MINUTES:

CHAIRMAN TRUESDELL declared the Public Hearing open

GARY LEOBOLD, Planning and Development Department, explained that this application was held in abeyance give staff an opportunity to review the revised plans. He noted that the site is somewhat constrained. However, staff did recommend approval subject to conditions.

PLANNING COMMISSION MEETING OF NOVEMBER 6, 2003
Planning and Development Department
Item 28 – SDR-2952

MINUTES – Continued:

GIOVANNI PEZZI and JOHN HOUDAN, Architects, 500 Pilot Road, appeared on behalf of the applicant and agreed with staff recommendations.

GINA VENGLASS, Public Works Department, explained that staff had met with the applicant and want them to revise the entrance. To ensure the conditions are being met, staff will work with the applicant prior to this application going forward to the City Council.

COMMISSIONER DAVENPORT asked whether the applicant obtained the information regarding the height of the back wall and where the location of the ADA Handicap parking will be situated. MR. LEOBOLD clarified that if the application is approved, it would be necessary to seek a variance to the handicap location requirement of Title 19. MR. DAVENPORT asked if that would be a condition that could be waived. DEPUTY CITY ATTORNEY BRYAN SCOTT emphasized that the applicant would have to justify the hardship in order to request a variance.

Prior to the motion, ROBERT GENZER, Director of Planning and Development Department, asked the applicant to meet with staff and inasmuch as he was very concerned with the lack of landscaping, he too would be present when that meeting takes place.

No one appeared in opposition.

There was no further discussion.

CHAIRMAN TRUESDELL declared the Public Hearing closed.

(9:50 – 10:05)

3-968

CONDITIONS:

Planning and Development

1. Approval of this Site Development Plan Review is contingent upon the approval of a variance to the handicap location requirement of Title 19.10.010.G.3.c that requires that handicap parking stalls shall be within three feet of a building's primary accessible entrance.
2. This Site Development Plan Review shall expire two years from date of final approval unless it is exercised or an Extension of Time is granted by the City Council.
3. The trash enclosure shall be covered and screened as required by the Commercial Design Standards. Waivers for the proposed zero-foot side-yard setback where a 10-foot setback is

required, and for reductions in perimeter and parking lot landscaping, as indicated on revised site plans submitted by the applicant, are granted as part of this approval.

PLANNING COMMISSION MEETING OF NOVEMBER 6, 2003
Planning and Development Department
Item 28 – SDR-2952

CONDITIONS– Continued:

4. All development shall be in conformance with the site plan and building elevations, except as amended by conditions herein.
5. Landscaping and a permanent underground sprinkler system shall be installed as required by the Planning Commission or City Council and shall be permanently maintained in a satisfactory manner. [Failure to properly maintain required landscaping and underground sprinkler systems shall be cause for revocation of a business license.]
6. All mechanical equipment and air conditioners shall be fully screened in views from the abutting streets.
7. Parking lot lighting standards shall be no more than 20 feet in height and shall utilize ‘shoe-box’ fixtures and downward-directed lights. Wallpack lighting shall utilize ‘shoe-box’ fixtures and downward-directed lights on the proposed building. Non-residential property lighting shall be directed away from residential property or screened, and shall not create fugitive lighting on adjacent properties.
8. All utility boxes exceeding 27 cubic feet in size shall meet the standards of Title 19.12.050.
9. Any property line wall shall be a decorative block wall, with at least 20 percent contrasting materials. Wall heights shall be measured from the side of the fence with the least vertical exposure above the finished grade, unless otherwise stipulated.
10. A fully operational fire protection system, including fire apparatus roads, fire hydrants and water supply, shall be installed and shall be functioning prior to construction of any combustible structures.
11. All City Code requirements and design standards of all City departments must be satisfied.
12. Meet with the Fire Protection Engineering Section of the Department of Fire Services prior to submittal of construction drawings for this site. The design and layout of all onsite private circulation and access drives shall meet the approval of the Department of Fire Services.

Public Works

13. Remove all substandard public street improvements and unused driveway cuts adjacent to this site, if any, and replace with new improvements meeting current City Standards concurrent with development of this site.

PLANNING COMMISSION MEETING OF NOVEMBER 6, 2003
Planning and Development Department
Item 28 – SDR-2952

CONDITIONS– Continued:

14. Meet with the Traffic Engineering Representative in Land Development for assistance in the possible redesign of the proposed driveway access, on site circulation and parking lot layout prior to the submittal of any construction plans or the issuance of any permits, whichever may occur first. New driveways or modifications to existing driveways shall be designed, located and constructed in accordance with Standard Drawing #222A. Any new driveways or modifications to existing driveways shall receive approval from the Nevada Department of Transportation. We note the proposed driveway for this parcel does not meet the minimum 24-foot width to allow for two-way vehicular traffic.
15. Provide a copy of a recorded Joint Access Agreement between this site and the adjoining parcel to the east prior to the issuance of any permits or occupancy, whichever may occur first.
16. A Traffic Impact Analysis must be submitted to and approved by the Department of Public Works prior to the issuance of any building or grading permits or submittal of any construction drawings. Comply with the recommendations of the approved Traffic Impact Analysis prior to occupancy of the site. The City shall determine area traffic mitigation contribution requirements based upon information provided in the approved Traffic Impact Analysis; such monies shall be contributed prior to the issuance of any permits for this site. The Traffic Impact Analysis shall also include a section addressing Standard Drawings #234.1 #234.2 and #234.3 to determine additional right-of-way requirements for bus turnouts adjacent to this site, if any; dedicate all areas recommended by the approved Traffic Impact Analysis. All additional rights-of-way required by Standard Drawing #201.1 for exclusive right turn lanes and dual left turn lanes shall be dedicated prior to or concurrent with the commencement of on-site development activities unless specifically noted as not required in the approved Traffic Impact Analysis. If additional rights-of-way are not required and Traffic Control devices are or may be proposed at this site outside of the public right-of-way, all necessary easements for the location and/or access of such devices shall be granted prior to the issuance of permits for this site. Phased compliance will be allowed if recommended by the approved Traffic Impact Analysis. No recommendation of the approved Traffic Impact Analysis, or compliance therewith, shall be deemed to modify or eliminate any condition of approval imposed by the Planning Commission or the City Council on the development of this site.

Alternatively, in lieu of a Traffic Impact Analysis, the applicant may participate in a reasonable alternative mutually acceptable to the applicant and the Department of Public Works.

PLANNING COMMISSION MEETING OF NOVEMBER 6, 2003
Planning and Development Department
Item 28 – SDR-2952

CONDITIONS– Continued:

17. Meet with the Flood Control Section of the Department of Public Works for assistance in establishing finished floor elevations and drainage pathways required for this site, prior to the issuance of any building or grading permits or submittal of any construction drawings, whichever may occur first.
18. An Occupancy Permit from the Nevada Department of Transportation must be obtained for all improvements in the Charleston Boulevard public right-of-way.

AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT

PLANNING COMMISSION MEETING OF: NOVEMBER 6, 2003

DEPARTMENT: PLANNING & DEVELOPMENT

DIRECTOR: ROBERT S. GENZER

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CONSENT

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DISCUSSION

SUBJECT:

ABEYANCE - SDR-3101 - B.S.R. ON BEHALF OF FLETCHER JONES SR. TRUST -

Request for a Site Development Plan Review for a MIXED-USE RESIDENTIAL AND COMMERCIAL DEVELOPMENT on 15.97 acres adjacent to the northwest corner of Desert Inn Road and Rancho Drive (APN: 162-08-401-004 and 162-08-801-001), Ward 1 (Moncrief).

C.C.: 12/03/03

PROTESTS RECEIVED BEFORE:

**Planning Commission Mtg.
City Council Meeting**

0

APPROVALS RECEIVED BEFORE:

**Planning Commission Mtg.
City Council Meeting**

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RECOMMENDATION:

Staff recommends APPROVAL.

BACKUP DOCUMENTATION:

1. Location Map
2. Conditions For This Application
3. Staff Report

MOTION:

DAVENPORT – ABEYANCE to the 11/20/2003 Planning Commission meeting – UNANIMOUS

MINUTES:

CHAIRMAN TRUESDELL declared the Public Hearing open

DAVID CLAPSADDLE, Planning and Development Department, explained that the applicant has requested this application be held for two weeks to the 11/20/2003 Planning Commission meeting in order to resolve issues with both the Planning and the Public Works departments. A copy of the letter is on file.

ROBERT GENZER, Director of Planning and Development Department, added that the General Plan Amendment, the Rezoning and the Special Use Permit were all approved by the City Council. Additionally, the City Council was made aware that the Site Development Plan Review had be held by the Planning Commission and the consensus was not to forward this application to the City Council if approved, but to proceed as a Final Action.

PLANNING COMMISSION MEETING OF NOVEMBER 6, 2003
Planning and Development Department
Item 29 – SDR-3101

MINUTES – Continued:

No one appeared in opposition.

There was no further discussion.

CHAIRMAN TRUESDELL declared the Public Hearing closed.

(6:19 – 6:21)

1-293

AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT

PLANNING COMMISSION MEETING OF: NOVEMBER 6, 2003

DEPARTMENT: PLANNING & DEVELOPMENT

DIRECTOR: ROBERT S. GENZER

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CONSENT

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DISCUSSION

SUBJECT:

ZON-3031 - THOMAS & JUDITH MILLER - Request for a Rezoning FROM: U (Undeveloped) [SC (Service Commercial) General Plan Designation] TO: C-1 (Limited Commercial) on 0.93 acres adjacent to the southeast corner of Smoke Ranch Road and Nemeth Road (APN: 138-23-110-014 and 015), Ward 6 (Mack).

C.C.: 12/03/03

PROTESTS RECEIVED BEFORE:

Planning Commission Mtg.
City Council Meeting

0

APPROVALS RECEIVED BEFORE:

Planning Commission Mtg.
City Council Meeting

0

RECOMMENDATION:

Staff recommends APPROVAL.

BACKUP DOCUMENTATION:

1. Location Map
2. Conditions For This Application
3. Staff Report

MOTION:

McSWAIN – APPROVED subject to conditions – Motion carried with EVANS not voting.

To be heard by the City Council on 12/3/2003.

MINUTES:

CHAIRMAN TRUESDELL declared the Public Hearing open

GARY LEOBOLD, Planning and Development Department, summarized each of the applications. He stated that the zoning request is appropriate and the location is compatible with other C-1 sites along Smoke Ranch. He added that there are two variance requests. One is for a reduction in the parking and the second pertains to a variance of the Residential Adjacency Standards where the applicant proposes a setback of zero feet where 48-foot setback is required. MR. LEOBOLD listed additional deficiencies pertaining to parking, perimeter buffering, landscaping within the perimeter buffer, substandard loading zone, trash enclosure and orientation of service bay doors. Staff recommended approval of the zoning request subject to conditions and denial of the remainder of applications.

TOM MILLER, the applicant, 3088 South Highland Drive, stated that he acquired this property several years ago and worked to develop a plan that would be feasible for the site.

PLANNING COMMISSION MEETING OF NOVEMBER 6, 2003
Planning and Development Department
Item 30 – ZON-3031

MINUTES – Continued:

MR. MILLER justified the lack of parking by stating that customers only utilize parking at the front of an automotive shop and understanding that he does not meet the standards of the code, he felt the amount of spaces he proposes is adequate. He further explained that he has met with the adjacent neighbors regarding a proposed wall and received approval from the neighbors agreeing on the zero-setback.

COMMISSIONER McSWAIN disagreed that this lot is appropriate for an automotive shop. She stated she would not support the zero-lot line up against the adjacent residential properties. VICE CHAIRMAN NIGRO concurred with the previous comments saying this type of development is too intense for this parcel and felt that the applicant was overbuilding this site.

No one appeared in opposition.

There was no further discussion.

CHAIRMAN TRUESDELL declared the Public Hearing closed.

NOTE: All discussion for Item 30 [ZON-3031], Item 31 [VAR-3040], Item 32 [SUP-3038], and Item 33 [SDR-3035] was held under Item 30 [ZON-3031].

(10:05 – 10:24)

3-1532

CONDITIONS:

Planning and Development

1. A Resolution of Intent with a two-year time limit.
2. A Site Development Plan Review application approved by the Planning Commission and City Council prior to issuance of any permits, any site grading, and all development activity for the site.

Public Works

3. Coordinate with the City Surveyor to determine whether a Parcel Map or a Reversionary Parcel Map is necessary; if such map is required it should record prior to the issuance of any building permits for this site.
4. Dedicate an additional 10.5 feet of right-of-way for a total half-street width of 25.5 feet on Nemeth Road adjacent to this site prior to the issuance of any permits.

PLANNING COMMISSION MEETING OF NOVEMBER 6, 2003
Planning and Development Department
Item 30 – ZON-3031

CONDITIONS – Continued:

5. Construct half-street improvements including appropriate overpaving on Nemeth Road and all incomplete improvements on Smoke Ranch Road adjacent to this site concurrent with development of this site. Install all appurtenant underground facilities, if any, adjacent to this site needed for the future traffic signal system concurrent with development of this site. All existing paving damaged or removed by this development shall be restored at its original location and to its original width concurrent with development of this site.
6. Remove all substandard public street improvements, if any, adjacent to this site and replace with new improvements meeting current City Standards concurrent with on-site development activities.
7. A Traffic Impact Analysis must be submitted to and approved by the Department of Public Works prior to the issuance of any building or grading permits, submittal of any construction drawings. Comply with the recommendations of the approved Traffic Impact Analysis prior to occupancy of the site. The City shall determine area traffic mitigation contribution requirements based upon information provided in the approved Traffic Impact Analysis; such monies shall be contributed prior to the issuance of any permits for this site. The Traffic Impact Analysis shall also include a section addressing Standard Drawings #234.1 #234.2 and #234.3 to determine additional right-of-way requirements for bus turnouts adjacent to this site, if any; dedicate all areas recommended by the approved Traffic Impact Analysis. All additional rights-of-way required by Standard Drawing #201.1 for exclusive right turn lanes and dual left turn lanes shall be dedicated prior to or concurrent with the commencement of on-site development activities unless specifically noted as not required in the approved Traffic Impact Analysis. If additional rights-of-way are not required and Traffic Control devices are or may be proposed at this site outside of the public right-of-way, all necessary easements for the location and/or access of such devices shall be granted prior to the issuance of permits for this site. Phased compliance will be allowed if recommended by the approved Traffic Impact Analysis. No recommendation of the approved Traffic Impact Analysis, nor compliance therewith, shall be deemed to modify or eliminate any condition of approval imposed by the Planning Commission or the City Council on the development of this site. Alternatively, in lieu of a Traffic Impact Analysis, the applicant may participate in a reasonable alternative mutually acceptable to the applicant and the Department of Public Works.

PLANNING COMMISSION MEETING OF NOVEMBER 6, 2003
Planning and Development Department
Item 30 – ZON-3031

CONDITIONS – Continued:

8. Meet with the Flood Control Section of the Department of Public Works for assistance in establishing finished floor elevations and drainage pathways required for this site, prior to the issuance of any building or grading permits or submittal of any construction drawings, whichever may occur first.

AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT

PLANNING COMMISSION MEETING OF: NOVEMBER 6, 2003

DEPARTMENT: PLANNING & DEVELOPMENT

DIRECTOR: ROBERT S. GENZER

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CONSENT

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DISCUSSION

SUBJECT:

VAR-3040 - THOMAS & JUDITH MILLER - Request for a Variance TO ALLOW 36 PARKING SPACES WHERE 51 SPACES ARE REQUIRED and a Variance TO ALLOW ZERO-FOOT SIDE AND REAR SETBACKS WHERE RESIDENTIAL ADJACENCY STANDARDS REQUIRE A 48-FOOT SETBACK FROM RESIDENTIAL PROPERTIES FOR A PROPOSED 6,000 SQUARE-FOOT RETAIL CENTER AND A PROPOSED 3,000 SQUARE-FOOT AUTO REPAIR GARAGE, MINOR adjacent to the southeast corner of Smoke Ranch Road and Nemeth Road (APN: 138-23-110-014 and 015), U(Undeveloped) Zone [SC (Service Commercial) General Plan Designation] [PROPOSED: C-1 (Limited Commercial) Zone], Ward 6 (Mack).

C.C.: 12/03/03

PROTESTS RECEIVED BEFORE:

**Planning Commission Mtg.
City Council Meeting**

0

APPROVALS RECEIVED BEFORE:

**Planning Commission Mtg.
City Council Meeting**

0

RECOMMENDATION:

Staff recommends DENIAL.

BACKUP DOCUMENTATION:

1. Location Map
2. Conditions For This Application
3. Staff Report

MOTION:

McSWAIN – DENIED - UNANIMOUS

To be heard by the City Council on 12/3/2003.

MINUTES:

CHAIRMAN TRUESDELL declared the Public Hearing open

No one appeared in opposition.

There was no discussion.

PLANNING COMMISSION MEETING OF NOVEMBER 6, 2003
Planning and Development Department
Item 31 – VAR-3040

MINUTES – Continued:

CHAIRMAN TRUESDELL declared the Public Hearing closed.

NOTE: All discussion for Item 30 [ZON-3031], Item 31 [VAR-3040], Item 32 [SUP-3038], and Item 33 [SDR-3035] was held under Item 30 [ZON-3031].

(10:05 – 10:24)

3-1532

AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT

PLANNING COMMISSION MEETING OF: NOVEMBER 6, 2003

DEPARTMENT: PLANNING & DEVELOPMENT

DIRECTOR: ROBERT S. GENZER

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CONSENT

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DISCUSSION

SUBJECT:

SUP-3038 - THOMAS & JUDITH MILLER - Request for a Special Use Permit FOR A PROPOSED AUTO REPAIR GARAGE, MINOR on property adjacent to the southeast corner of Smoke Ranch Road and Nemeth Road (APN: 138-23-110-014 and 015), U (Undeveloped) Zone [SC (Service Commercial) General Plan Designation] [PROPOSED: C-1 (Limited Commercial) Zone], Ward 6 (Mack).

IF APPROVED: C.C.: 12/03/03

IF DENIED: P.C.: FINAL ACTION (Unless appealed within 10 days)

PROTESTS RECEIVED BEFORE:

Planning Commission Mtg.

0

City Council Meeting

APPROVALS RECEIVED BEFORE:

Planning Commission Mtg.

0

City Council Meeting

RECOMMENDATION:

Staff recommends DENIAL.

BACKUP DOCUMENTATION:

1. Location Map
2. Conditions For This Application
3. Staff Report

MOTION:

McSWAIN – DENIED - UNANIMOUS

To be heard by the City Council on 12/3/2003.

MINUTES:

CHAIRMAN TRUESDELL declared the Public Hearing open

No one appeared in opposition.

There was no discussion.

PLANNING COMMISSION MEETING OF NOVEMBER 6, 2003
Planning and Development Department
Item 32 – SUP-3038

MINUTES – Continued:

CHAIRMAN TRUESDELL declared the Public Hearing closed.

NOTE: All discussion for Item 30 [ZON-3031], Item 31 [VAR-3040], Item 32 [SUP-3038], and Item 33 [SDR-3035] was held under Item 30 [ZON-3031].

(10:05 – 10:24)

3-1532

AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT

PLANNING COMMISSION MEETING OF: NOVEMBER 6, 2003

DEPARTMENT: PLANNING & DEVELOPMENT

DIRECTOR: ROBERT S. GENZER

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CONSENT

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DISCUSSION

SUBJECT:

SDR-3035 - THOMAS & JUDITH MILLER - Request for a Site Development Plan Review FOR A PROPOSED 6,000 SQUARE-FOOT RETAIL BUILDING AND A PROPOSED 3,000 SQUARE-FOOT AUTO REPAIR GARAGE, MINOR; A WAIVER OF SIDE AND REAR SETBACKS TO ZERO FEET WHERE 20 FEET IS REQUIRED IN THE REAR AND 10 FEET ON THE SIDE; A REDUCTION IN THE AMOUNT OF PERIMETER BUFFERING AND LANDSCAPING, PARKING LOT LANDSCAPING, AND A WAIVER OF A NUMBER OF COMMERCIAL DESIGN GUIDELINES on 0.93 acres adjacent to the southeast corner of Smoke Ranch Road and Nemeth Road (APN: 138-23-110-014 and 015), U (Undeveloped) Zone [SC (Service Commercial) General Plan Designation], Ward 6 (Mack)

C.C.: 12/03/03

PROTESTS RECEIVED BEFORE:

Planning Commission Mtg.
City Council Meeting

0

APPROVALS RECEIVED BEFORE:

Planning Commission Mtg.
City Council Meeting

0

RECOMMENDATION:

Staff recommends DENIAL.

BACKUP DOCUMENTATION:

1. Location Map
2. Conditions For This Application
3. Staff Report

MOTION:

McSWAIN – DENIED - UNANIMOUS

To be heard by the City Council on 12/3/2003.

MINUTES:

CHAIRMAN TRUESDELL declared the Public Hearing open

PLANNING COMMISSION MEETING OF NOVEMBER 6, 2003
Planning and Development Department
Item 33 – SDR-3035

MINUTES – Continued:

No one appeared in opposition.

There was no further discussion.

CHAIRMAN TRUESDELL declared the Public Hearing closed.

NOTE: All discussion for Item 30 [ZON-3031], Item 31 [VAR-3040], Item 32 [SUP-3038], and Item 33 [SDR-3035] was held under Item 30 [ZON-3031].

(10:05 – 10:24)

3-1532

AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT

PLANNING COMMISSION MEETING OF: NOVEMBER 6, 2003

DEPARTMENT: PLANNING & DEVELOPMENT

DIRECTOR: ROBERT S. GENZER

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CONSENT

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DISCUSSION

SUBJECT:

ZON-3143 - DRIVE TIME AUTOMOTIVE GROUP ON BEHALF OF FREMONT WEST, LIMITED LIABILITY COMPANY - Request for a Rezoning FROM: C-1 (Limited Commercial) TO: C-2 (General Commercial) on 1.20 acres located at 1616 South Decatur Boulevard (APN: 163-01-602-004), Ward 1 (Moncrief).

C.C.: 12/03/03

PROTESTS RECEIVED BEFORE:

**Planning Commission Mtg.
City Council Meeting**

2

APPROVALS RECEIVED BEFORE:

**Planning Commission Mtg.
City Council Meeting**

0

RECOMMENDATION:

Staff recommends APPROVAL.

BACKUP DOCUMENTATION:

1. Location Map
2. Conditions For This Application
3. Staff Report

MOTION:

NIGRO – ABEYANCE to the 12/4/2003 Planning Commission meeting – UNANIMOUS

MINUTES:

CHAIRMAN TRUESDELL declared the Public Hearing open

DAVID CLAPSADDLE, Planning and Development Department, explained that the applicant intends to file an additional application for a use permit to add car repair to the site. By letter, the applicant requested abeyance to the 12/4/2003 Planning Commission meeting in order to accomplish this.

No one appeared in opposition.

There was no further discussion.

PLANNING COMMISSION MEETING OF NOVEMBER 6, 2003
Planning and Development Department
Item 34 – ZON-3143

CONDITIONS – Continued:

CHAIRMAN TRUESDELL declared the Public Hearing closed.

NOTE: All discussion for Item 34 [ZON-3143] AND item 35 [SUP-3144] was held under Item 34 [ZON-3143].

(6:21 – 6:23)

1-348

AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT

PLANNING COMMISSION MEETING OF: NOVEMBER 6, 2003

DEPARTMENT: PLANNING & DEVELOPMENT

DIRECTOR: ROBERT S. GENZER

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CONSENT

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DISCUSSION

SUBJECT:

SUP-3144 - DRIVE TIME AUTOMOTIVE GROUP ON BEHALF OF FREMONT WEST, LIMITED LIABILITY COMPANY - Request for a Special Use Permit FOR MOTOR VEHICLE SALES (USED) on property located at 1616 South Decatur Boulevard (APN: 163-01-602-004) [PROPOSED: C-2 (General Commercial) Zone], Ward 1 (Moncrief).

IF APPROVED: C.C.: 12/03/03

IF DENIED: P.C.: FINAL ACTION (Unless appealed within 10 days)

PROTESTS RECEIVED BEFORE:

**Planning Commission Mtg.
City Council Meeting**

0

APPROVALS RECEIVED BEFORE:

**Planning Commission Mtg.
City Council Meeting**

0

RECOMMENDATION:

Staff recommends APPROVAL.

BACKUP DOCUMENTATION:

1. Location Map
2. Conditions For This Application
3. Staff Report

MOTION:

NIGRO – ABEYANCE to the 12/4/2003 Planning Commission meeting – UNANIMOUS

MINUTES:

CHAIRMAN TRUESDELL declared the Public Hearing open

No one appeared in opposition.

There was no further discussion.

CHAIRMAN TRUESDELL declared the Public Hearing closed.

NOTE: All discussion for Item 34 [ZON-3143] AND item 35 [SUP-3144] was held under Item 34 [ZON-3143].

(6:21 – 6:23)

AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT

PLANNING COMMISSION MEETING OF: NOVEMBER 6, 2003

DEPARTMENT: PLANNING & DEVELOPMENT

DIRECTOR: ROBERT S. GENZER

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CONSENT

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DISCUSSION

SUBJECT:

ZON-3138 - CITATION HOMES ON BEHALF OF CARL W. & RUTH HEAVIN AND DESERT MOBILE HOME PARK, LIMITED LIABILITY COMPANY - Request for a Rezoning FROM: R-MHP (Residential Mobile Home Park) TO: R-CL (Single-Family Compact-Lot) on 2.46 acres located adjacent to the north side of East Van Buren Avenue, approximately 960 feet east of Lamb Boulevard (APN: 140-29-101-005 and a portion of 140-29-101-002), Ward 3 (Reese).

C.C.: 12/03/03

PROTESTS RECEIVED BEFORE:

**Planning Commission Mtg.
City Council Meeting**

0

APPROVALS RECEIVED BEFORE:

**Planning Commission Mtg.
City Council Meeting**

0

RECOMMENDATION:

Staff recommends APPROVAL.

BACKUP DOCUMENTATION:

1. Location Map
2. Conditions For This Application
3. Staff Report

MOTION:

EVANS – APPROVED subject to conditions and deleting Condition 2 – UNANIMOUS

To be heard by the City Council on 12/3/2003

MINUTES:

CHAIRMAN TRUESDELL declared the Public Hearing open

GARY LEOBOLD, Planning and Development Department, stated that the applicant proposes to develop an 18-lot residential subdivision. Staff recommended approval inasmuch as the application meets the base Standards of the Code.

ROBERT CUNNINGHAM, Taney Engineering, 4445 South Jones Boulevard, appeared on behalf of the applicant. He stated his agreement to the conditions with the exception of Condition 2. Based on information provided to him at the pre-application meeting, he was told that condition would not be required since the RCL criteria is being met. MR. LEOBOLD confirmed that condition would be removed.

PLANNING COMMISSION MEETING OF NOVEMBER 6, 2003
Planning and Development Department
Item 36 – ZON-3138

MINUTES – Continued:

TODD FARLOW, 240 North 19th Street, asked whether the development would consist of manufactured homes. MR. CUNNINGHAM clarified these would not be manufactured homes. He also addressed COMMISSIONER McSWAIN'S query that this development will complete the rest of mobile home park.

No one appeared in opposition.

There was no further discussion.

CHAIRMAN TRUESDELL declared the Public Hearing closed.

(10:24 – 10:26)

3-2116

CONDITIONS:

Planning and Development

1. A Resolution of Intent with a two-year time limit.
2. Site Development Plan Review application approved by the Planning Commission or City Council prior to issuance of any permits, any site grading, and all development activity for the site.
3. A Homeowners' Association shall be established to maintain all perimeter walls, private roadways, landscaping and common areas created with this development. All landscaping shall be situated and maintained so as to not create sight visibility obstructions for vehicular traffic at all development access drives and abutting street intersections.
4. The proposed project shall be developed as one parcel.

Public Works

5. Coordinate with the City Surveyor to determine whether a Parcel Map or other mapping is necessary; if such map is required it should record prior to the issuance of any building permits for this site or the recordation of any Final Maps overlying or abutting this site.
6. Construct half-street improvements including appropriate overpaving on East Van Buren Avenue adjacent to this site concurrent with development of this site. All existing paving damaged or removed by this development shall be restored at its original location and to its original width concurrent with development of this site.

PLANNING COMMISSION MEETING OF NOVEMBER 6, 2003
Planning and Development Department
Item 36 – ZON-3138

CONDITIONS– Continued:

7. Coordinate with the Collection Systems Planning Section of the Department of Public Works to extend public sanitary sewer to the west edge of this site at a location and depth acceptable to the City Engineer. Provide public sewer easements for all public sewers not located within existing public street right-of-way prior to the issuance of any permits.
8. A Traffic Impact Analysis must be submitted to and approved by the Department of Public Works prior to the issuance of any building or grading permits, submittal of any construction drawings or the recordation of a Map subdividing this site. Comply with the recommendations of the approved Traffic Impact Analysis prior to occupancy of the site. The City shall determine area traffic mitigation contribution requirements based upon information provided in the approved Traffic Impact Analysis; such monies shall be contributed prior to the issuance of any permits or the recordation of a Map subdividing this site. The Traffic Impact Analysis shall also include a section addressing Standard Drawings #234.1 #234.2 and #234.3 to determine additional right-of-way requirements for bus turnouts adjacent to this site, if any; dedicate all areas recommended by the approved Traffic Impact Analysis. All additional rights-of-way required by Standard Drawing #201.1 for exclusive right turn lanes and dual left turn lanes shall be dedicated prior to or concurrent with the commencement of on-site development activities unless specifically noted as not required in the approved Traffic Impact Analysis. Phased compliance will be allowed if recommended by the approved Traffic Impact Analysis. No recommendation of the approved Traffic Impact Analysis, nor compliance therewith, shall be deemed to modify or eliminate any condition of approval imposed by the Planning Commission or the City Council on the development of this site.

Alternatively, in lieu of a Traffic Impact Analysis, the applicant may participate in a reasonable alternative mutually acceptable to the applicant and the Department of Public Works.

PLANNING COMMISSION MEETING OF NOVEMBER 6, 2003
Planning and Development Department
Item 36 – ZON-3138

MINUTES – Continued:

9. A Drainage Plan and Technical Drainage Study must be submitted to and approved by the Department of Public Works prior to the issuance of any building or grading permits, submittal of any construction drawings or the recordation of a Map subdividing this site, whichever may occur first. Provide and improve all drainage ways recommended in the approved drainage plan/study. The developer of this site shall be responsible to construct such neighborhood or local drainage facility improvements as are recommended by the City of Las Vegas Neighborhood Drainage Studies and approved Drainage Plan/Study concurrent with development of this site. In lieu of constructing improvements, in whole or in part, the developer may agree to contribute monies for the construction of neighborhood or local drainage improvements, the amount of such monies shall be determined by the approved Drainage Plan/Study and shall be contributed prior to the issuance of any building or grading permits, or the recordation of a Map subdividing this site, whichever may occur first, if allowed by the City Engineer.

AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT

PLANNING COMMISSION MEETING OF: NOVEMBER 6, 2003

DEPARTMENT: PLANNING & DEVELOPMENT

DIRECTOR: ROBERT S. GENZER

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CONSENT

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DISCUSSION

SUBJECT:

SUP-3114 - SHOW MEDIA ON BEHALF OF PROFESSIONAL INVESTMENT GROUP, LIMITED LIABILITY COMPANY - Request for a Special Use Permit FOR A 40-FOOT TALL, 14 FOOT BY 48 FOOT OFF-PREMISE ADVERTISING (BILLBOARD) SIGN located at 4545 West Sahara Avenue (APN:162-07-101-005), C-1 (Limited Commercial) Zone, Ward 1 (Moncrief).

IF APPROVED: C.C.: 12/03/03

IF DENIED: P.C.: FINAL ACTION (Unless appealed within 10 days)

PROTESTS RECEIVED BEFORE:

**Planning Commission Mtg.
City Council Meeting**

1

APPROVALS RECEIVED BEFORE:

**Planning Commission Mtg.
City Council Meeting**

0

RECOMMENDATION:

Staff recommends APPROVAL.

BACKUP DOCUMENTATION:

1. Location Map
2. Conditions For This Application
3. Staff Report

MOTION:

McSWAIN – DENIED – Motion carried with DAVENPORT voting No.

This is Final Action.

MINUTES:

CHAIRMAN TRUESDELL declared the Public Hearing open

GARY LEOBOLD, Planning and Development Department, stated that this proposal is for an off-premise flag-style sign projecting over the roof of the building. It meets code requirements for off-premise signage.

ATTORNEY CHRIS YERGENSEN, 4680 Polaris, appeared on behalf of the applicant and concurred with staff recommendations.

TODD FARLOW, 240 North 19th Street, asked whether the site is properly maintained. He opposed approval of this billboard.

PLANNING COMMISSION MEETING OF NOVEMBER 6, 2003
Planning and Development Department
Item 37 – SUP-3114

MINUTES – Continued:

COMMISSIONER DAVENPORT asked whether the proposed sign would encroach upon the power lines that are adjacent to this site. ATTORNEY YERGENSEN replied it would not. COMMISSION McSWAIN stated that this is a fragile area and stated the sign is not appropriate and would not support the request.

CHAIRMAN TRUESDELL questioned the height of the sign. MR. LEOBOLD affirmed that a portion of the sign would be at the edge of the building. CHAIRMAN TRUESDELL expressed his concern that this type of sign could possibly be a target for vandalism.

There was no further discussion.

CHAIRMAN TRUESDELL declared the Public Hearing closed.

(10:26 – 10:35)

3-2293

AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT

PLANNING COMMISSION MEETING OF: NOVEMBER 6, 2003

DEPARTMENT: PLANNING & DEVELOPMENT

DIRECTOR: ROBERT S. GENZER

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CONSENT

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DISCUSSION

SUBJECT:

SUP-3115 - SHOW MEDIA ON BEHALF OF RIVERPARK IV, LIMITED LIABILITY COMPANY - Request for a Special Use Permit FOR A 40-FOOT TALL, 14 FOOT BY 48 FOOT OFF-PREMISE ADVERTISING (BILLBOARD) SIGN located at 6122 West Sahara Avenue (APN:163-02-802-004), C-1 (Limited Commercial) Zone, Ward 1 (Moncrief).

IF APPROVED: C.C.: 12/03/03

IF DENIED: P.C.: FINAL ACTION (Unless appealed within 10 days)

PROTESTS RECEIVED BEFORE:

**Planning Commission Mtg.
City Council Meeting**

1

APPROVALS RECEIVED BEFORE:

**Planning Commission Mtg.
City Council Meeting**

0

RECOMMENDATION:

Staff recommends APPROVAL.

BACKUP DOCUMENTATION:

1. Location Map
2. Conditions For This Application
3. Staff Report

MOTION:

McSWAIN – DENIED – Motion carried with DAVENPORT voting No.

This is Final Action.

MINUTES:

CHAIRMAN TRUESDELL declared the Public Hearing open

GARY LEOBOLD, Planning and Development Department, explained that the proposed sign is located on Sahara. He noted that there is residential although it not immediately adjacent to the site. Staff recommended approval subject to conditions.

ATTORNEY CHRIS YERGENSEN, 4680 Polaris, appeared on behalf of the applicant and stated with the location being within a commercial area, billboard sign would be appropriate. He concurred with staff recommendations.

PLANNING COMMISSION MEETING OF NOVEMBER 6, 2003
Planning and Development Department
Item 38 – SUP-3115

MINUTES – Continued:

GARY SHAPIRO, 6142 West Sahara, appeared on behalf of Riverpark Office Complex, stated that the billboard would replace an existing trees and he objected to the removal of it. He stated he did not oppose permitting the billboard for the site. ATTORNEY YERGENSEN acknowledged that although the tree would be removed, the applicant has committed to replacing that section with landscaping that would meet with staff approval.

TODD FARLOW, 240 North 19th Street, opposed the removal of the mature tree.

There was no further discussion.

CHAIRMAN TRUESDELL declared the Public Hearing closed.

(10:35 – 10:37)

3-2633

AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT

PLANNING COMMISSION MEETING OF: NOVEMBER 6, 2003

DEPARTMENT: PLANNING & DEVELOPMENT

DIRECTOR: ROBERT S. GENZER

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CONSENT

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DISCUSSION

SUBJECT:

SUP-3117 - JAMES MARCHESI ON BEHALF OF CENTENNIAL COURT, LIMITED LIABILITY COMPANY - Request for a Special Use Permit for A PROPOSED AUTO TITLE LOAN AND A FINANCIAL INSTITUTION, SPECIFIED (CHECK CASHING) at 6510 North Buffalo Drive (APN: 125-21-812-001), C-2 (General Commercial) Zone and U (Undeveloped) Zone [TC (Town Center) General Plan Designation] under Resolution of Intent to T-C (Town Center) Zone [SX-TC (Suburban Mixed Use – Town Center) Land Use Designation], Ward 6 (Mack).

IF APPROVED: C.C.: 12/03/03

IF DENIED: P.C.: FINAL ACTION (Unless appealed within 10 days)

PROTESTS RECEIVED BEFORE:

**Planning Commission Mtg.
City Council Meeting**

0

APPROVALS RECEIVED BEFORE:

**Planning Commission Mtg.
City Council Meeting**

0

RECOMMENDATION:

Staff recommends APPROVAL.

BACKUP DOCUMENTATION:

1. Location Map
2. Conditions For This Application
3. Staff Report

MOTION:

McSWAIN – APPROVED subject to condition – Motion carried with EVANS not voting.

To be heard by the City Council on 12/3/2003

MINUTES:

CHAIRMAN TRUESDELL declared the Public Hearing open

GARY LEOBOLD, Planning and Development Department, explained that the proposed check cashing business meets the base conditions for financial institution specified uses. There are no project uses within 1,000 feet of the property. Staff recommended approval subject to conditions.

PLANNING COMMISSION MEETING OF NOVEMBER 6, 2003
Planning and Development Department
Item 39 – SUP-3117

MINUTES – Continued:

TRINA FIERO, 2754 Highland Drive, appeared on behalf of the applicant and concurred with staff conditions.

TODD FARLOW, 240 North 19th Street, referred to a study being conducted by COUNCILWOMAN JANET MONCRIEF and felt it would be appropriate to hold all requests until that study has been completed.

MS. FIERO stated that her client is aware of the proposed ordinance.

There was no further discussion.

CHAIRMAN TRUESDELL declared the Public Hearing closed.

(10:37 – 10:40)

3-2902

CONDITIONS:

Planning and Development

1. Conformance to all minimum requirements under Title 19.04.050 for the Financial Institution, Specified and Auto Title Loan uses.
2. Approval of and conformance to all applicable Conditions of Approval for Site Development Plan Review (SDR-2422), Master Sign Plan (CHR-0005-02), and the Town Center Development Standards.
3. This Special Use Permit shall expire one year from the date of final approval, unless it is exercised or an Extension of Time is granted by the City Council.
4. All City Code requirements and design standards of all City departments must be satisfied.

AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT

PLANNING COMMISSION MEETING OF: NOVEMBER 6, 2003

DEPARTMENT: PLANNING & DEVELOPMENT

DIRECTOR: ROBERT S. GENZER

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CONSENT

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DISCUSSION

SUBJECT:

SUP-3128 - NORA ARMENIAN ON BEHALF OF THE KOUTNOUYAN LIVING TRUST

- Request for a Special Use Permit FOR AUTO PARTS (NEW AND REBUILT) (ACCESSORY SALES & SERVICE) AND A PROPOSED AUTO REPAIR GARAGE, MINOR, located at 4401 Stewart Avenue (APN: 140-32-201-002), C-1 (Limited Commercial) Zone, Ward 3 (Reese).

IF APPROVED: C.C.: 12/03/03

IF DENIED: P.C.: FINAL ACTION (Unless appealed within 10 days)

PROTESTS RECEIVED BEFORE:

**Planning Commission Mtg.
City Council Meeting**

0

APPROVALS RECEIVED BEFORE:

**Planning Commission Mtg.
City Council Meeting**

0

RECOMMENDATION:

Staff recommends APPROVAL.

BACKUP DOCUMENTATION:

1. Location Map
2. Conditions For This Application
3. Staff Report

MOTION:

NIGRO – ABEYANCE to the 11/20/2003 Planning Commission meeting – UNANIMOUS

MINUTES:

CHAIRMAN TRUESDELL declared the Public Hearing open

DAVID CLAPSADDLE, Planning and Development Department, explained that the applicant requested this item be held for two weeks to the 11/20/2003 Planning Commission meeting in order meet with staff to clarify some of the conditions. There is a letter on file.

No one appeared in opposition.

There was no further discussion.

CHAIRMAN TRUESDELL declared the Public Hearing closed.

(6:23)
1-393

AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT

PLANNING COMMISSION MEETING OF: NOVEMBER 6, 2003

DEPARTMENT: PLANNING & DEVELOPMENT

DIRECTOR: ROBERT S. GENZER

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CONSENT

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DISCUSSION

SUBJECT:

SUP-3131 - RUBI VALBUENA ON BEHALF OF ANER IGLESIAS TRUST 1997, ET AL -
Request for a Special Use Permit FOR A PROPOSED 450 SQUARE-FOOT FINANCIAL INSTITUTION, SPECIFIED located at 840 North Decatur Boulevard, Suite B (APN: 139-30-301-005), C-1 (Limited Commercial) Zone, Ward 5 (Weekly).

IF APPROVED: C.C.: 12/03/03

IF DENIED: P.C.: FINAL ACTION (Unless appealed within 10 days)

PROTESTS RECEIVED BEFORE:

Planning Commission Mtg.
City Council Meeting

1

APPROVALS RECEIVED BEFORE:

Planning Commission Mtg.
City Council Meeting

0

RECOMMENDATION:

Staff recommends APPROVAL.

BACKUP DOCUMENTATION:

1. Location Map
2. Conditions For This Application
3. Staff Report

MOTION:

GOYNES – APPROVED subject to conditions – Motion carried with EVANS not voting

To be heard by the City Council on 12/3/2003

MINUTES:

CHAIRMAN TRUESDELL declared the Public Hearing open

GARY LEOBOLD, Planning and Development Department, explained that the proposed use will utilize an existing customer service window for check cashing in conjunction with an existing money-wiring transfer business. The application meets all base conditions. Staff recommended approval subject to conditions.

GINNA CASADIEGO, 2600 South Town Center Drive, appeared on behalf of the applicant and concurred with staff conditions.

PLANNING COMMISSION MEETING OF NOVEMBER 6, 2003
Planning and Development Department
Item 41 – SUP-3131

MINUTES – Continued:

COMMISSIONER McSWAIN stated that she wants the existing sign to remain. COMMISSIONER GOYNES asked the applicant to explain what services are provided. COMMISSIONER DAVENPORT asked about utilizing an existing customer service window. MS. CASADIEGO confirmed that there are no drive-up service windows.

No one appeared in opposition.

There was no further discussion.

CHAIRMAN TRUESDELL declared the Public Hearing closed.

(10:40 – 10:44)

3-3066

CONDITIONS:

Planning and Development

1. Conformance to all Minimum Requirements under Title 19.04.050 for Financial Institution, Specified use.
2. The use shall comply with all applicable requirements of LVMC Title 6.
3. The building design and color scheme shall be subject to review by the department to ensure that it will be harmonious and compatible with the surrounding area.
4. No temporary signs (as described in LVMC 19.14.090) such as balloons, inflated devices, searchlights, pennants, portable billboards, portable signs, streamers, trucks parked for signage purposes, or other similar devices are permitted, except that banners announcing a "grand opening" or that a business is "coming soon" may be approved administratively for a period not to exceed thirty days.
5. Window signs shall not cover more than twenty percent of the area of all exterior windows.
6. The hours of operation shall not extend beyond the hours of 8:00 a.m. to 8:00 p.m.
7. Approval of and conformance to the Conditions of Approval for Rezoning Z-0007-68, and all other previous approvals.
8. This Special Use Permit shall expire one year from the date of final approval, unless it is exercised or an Extension of Time is granted by the City Council.

9. All City Code requirements and design standards of all City departments must be satisfied.

AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT

PLANNING COMMISSION MEETING OF: NOVEMBER 6, 2003

DEPARTMENT: PLANNING & DEVELOPMENT

DIRECTOR: ROBERT S. GENZER

☐

CONSENT

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DISCUSSION

SUBJECT:

SUP-3136 - DAN AND SANDY REDONA - Request for a Special Use Permit TO ALLOW THE CONVERSION OF AN EXISTING SINGLE-FAMILY RESIDENCE TO AN UNATTACHED CARETAKER'S QUARTERS located at 10221 Four Views Street (APN: 125-05-603-001), R-E (Residence Estates) Zone, Ward 6 (Mack).

IF APPROVED: C.C.: 12/03/03

IF DENIED: P.C.: FINAL ACTION (Unless appealed within 10 days)

PROTESTS RECEIVED BEFORE:

**Planning Commission Mtg.
City Council Meeting**

1

APPROVALS RECEIVED BEFORE:

**Planning Commission Mtg.
City Council Meeting**

0

RECOMMENDATION:

Staff recommends DENIAL.

BACKUP DOCUMENTATION:

1. Location Map
2. Conditions For This Application
3. Staff Report

MOTION:

NIGRO – WITHDRAWN WITHOUT PREJUDICE – UNANIMOUS

MINUTES:

CHAIRMAN TRUESDELL declared the Public Hearing open

GARY LEOBOLD, Planning and Development Department, stated that this application will allow the applicant to convert an existing house to a caretaker's quarters and subsequently bring to the site another existing house. Staff determined that the site is not adequate for the proposal as well as it will be located within an RNP area and does not meet those standards. The site does qualify for a Project of Regional Significance and based on a response from the Water Resources Division of the Department of Conservation and Natural Resources it was determined that having two separate dwellings on a parcel, it is necessary for the property owner to prove water resources for the second dwelling. Based on these reasons, staff recommended denial.

PLANNING COMMISSION MEETING OF NOVEMBER 6, 2003
Planning and Development Department
Item 42 – SUP-3136

MINUTES – Continued:

CHARLES CROWELL, 5945 Brothers Street, appeared on behalf of the applicant. He stated that it would be a financial hardship to construct the required enclosed walkway recommended by staff. He added that the applicant met with neighbors and obtained signatures of approval to move forward with their proposed project.

TODD FARLOW, 240 North 19th Street, disagreed with the applicant's proposal and recommended the property should remain as is.

COMMISSIONER DAVENPORT asked for clarification as far as having the principle home connected to the caretaker's quarters. MR. LEOBOLD explained that if connected with a breezeway, no problems would be posed; however, if the buildings were standalones, it would result in concerns regarding the density, the need for a second well, etc.

CHAIRMAN TRUESDELL expressed concern regarding the caretaker's dwelling, feeling that this might serve as a rental unit. COMMISSIONER McSWAIN felt a condition could properly address the no-rental aspect.

DEPUTY CITY ATTORNEY BRYAN SCOTT clarified that the Rural Preservation Statute only allows two units to the acre. This proposal would increase the density to 2.19 units to the acre that would violate that statute and more importantly, is not waivable.

BART ANDERSON, Public Works Department, stated that because this site is serviced by a septic tank, if the buildings are connected by a breezeway, it would be construed as a single-dwelling unit as far as the State is concerned. But since the lot is not large enough to support two buildings, the State will most likely mandate that they be connected if they are to utilize a single septic tank. MR. CROWELL replied that both the septic tank and the leech field were revised to meet the requirements of both houses. MR. ANDERSON clarified that the law permits one single structure attached to an individual sewage disposal system. He further added that he knows where two individual structures when connected by a breezeway have been allowed.

MR. LEOBOLD noted that if this application is tabled, it would require re-notification. COMMISSIONER DAVENPORT felt it would be more appropriate to deny the application. MR. CROWELL decided to withdraw the application without prejudice.

There was no further discussion.

CHAIRMAN TRUESDELL declared the Public Hearing closed.

(10:44 – 10:50)

3-3318/4-1

AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT

PLANNING COMMISSION MEETING OF: NOVEMBER 6, 2003

DEPARTMENT: PLANNING & DEVELOPMENT

DIRECTOR: ROBERT S. GENZER

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CONSENT

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DISCUSSION

SUBJECT:

MSP-3063 - SUPERIOR ELECTRICAL ADVERTISING ON BEHALF OF GREAT AMERICAN PLAZA, LIMITED LIABILITY COMPANY, ET AL - Request for a Master Sign Plan for Great American Plaza adjacent to the northwest corner of Sahara Avenue and Tomsik Street (APN: 163-04-416-002 through 008), U (Undeveloped) Zone [SC (Service Commercial) and O (Office) General Plan Designations] under Resolution of Intent to C-1 (Limited Commercial) and O (Office) Zones, Ward 1 (Moncrief).

C.C.: 12/03/03

PROTESTS RECEIVED BEFORE:

**Planning Commission Mtg.
City Council Meeting**

0

APPROVALS RECEIVED BEFORE:

**Planning Commission Mtg.
City Council Meeting**

0

RECOMMENDATION:

Staff recommends APPROVAL.

BACKUP DOCUMENTATION:

1. Location Map
2. Conditions For This Application
3. Staff Report

MOTION:

McSWAIN - APPROVED subject to conditions – UNANIMOUS with TRUESDELL abstaining because one of the agents in his office is currently dealing with Great American Capital

To be heard by the City Council on 12/3/2003

MINUTES:

VICE CHAIRMAN NIGRO declared the Public Hearing open

GARY LEOBOLD, Planning and Development Department, explained that this master sign plan establishes signage criteria for the entire commercial development proposed for the site, with the exception of the two pad sites in the southwest and southeast corners. There is a requirement for an amended sign plan showing any wall sign elevations when those plans come forward. The signs proposed conform to the code. The six signs proposed are the maximum number of freestanding signs

permitted and provide a total area of display must less than that provided by the code. Comment was made that there are two project identification signs shown in the plan,

PLANNING COMMISSION MEETING OF NOVEMBER 6, 2003
Planning and Development Department
Item 43 – MSP-3063

MINUTES – Continued:

both a monument sign and another larger pedestal-type sign. There are two proposed and total about 400 square feet in area. Staff recommends that the larger pedestal-type sign at the corner of Sahara and Tomsik be changed to a monument sign in order to reduce the sign scale and allow for greater visibility of the eventual pad site in the area. There are also flags identified for the site which should be limited to one flag representing a governmental entity and one flag representing a private entity. Staff recommended approval.

PATTI SKOGLUND, Superior Electrical Advertising, 1700 West Anaheim Street, Long Beach, California, appeared on behalf of the applicant and concurred with all conditions. There has already been a redesign greatly reducing the sign from what was originally proposed in order to accommodate the corner tenant.

COMMISSIONER DAVENPORT confirmed with MR. LEOBOLD that the conditions reflected the change in the signs as discussed.

No one appeared in opposition.

There was no further discussion.

VICE CHAIRMAN NIGRO declared the Public Hearing closed.

(10:50 – 11:00)

4-303

CONDITIONS:

Planning and Development

1. All signage shall have proper permits obtained through the Building and Safety Department.
2. Conformance to the sign criteria, sign elevations, and building elevations as submitted, except as amended by conditions herein.
3. Prior to the issuance of a building permit for signage on this property, the applicant shall submit a revised plan for review and approval by the Planning and Development Department detailing the illumination of all signs, including window signs; and replacing the Type “B” sign on the corner with a Type “A” sign, having a maximum sign area of 75 square feet.
4. Flags on the parcel adjacent to the corner of Sahara Avenue and Tomsik Street shall be limited to one governmental flag and one private flag.

PLANNING COMMISSION MEETING OF NOVEMBER 6, 2003
Planning and Development Department
Item 43 – MSP-3063

CONDITIONS – Continued:

5. Signage on either of the two corner pad sites will require a minor amendment to this Master Sign Plan.
6. Any additional modifications to the Master Sign Plan shall require approval in accordance with Title 19.14.130.
7. No temporary signage shall be allowed on the site without the approval of a Temporary Sign Permit from the Planning and Development Department.
8. Address numbers shall be provided as required by the Planning and Development Department.

Public Works

9. Site development to comply with all applicable conditions of approval for the Great American Plaza (Commercial Subdivision) and all other subsequent site-related actions.
10. Signs shall not be located within public right-of-way, existing or proposed public sewer or drainage easements, or interfere with Site Visibility Restriction Zones.

AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT

PLANNING COMMISSION MEETING OF: NOVEMBER 6, 2003

DEPARTMENT: PLANNING & DEVELOPMENT

DIRECTOR: ROBERT S. GENZER

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CONSENT

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DISCUSSION

SUBJECT:

SDR-3108 - PETER PAPAS ON BEHALF OF BUFFALO PADS, LIMITED LIABILITY COMPANY - Request for a Site Development Plan Review and a Waiver from the perimeter buffer and parking lot landscaping requirements and Commercial Design Standards FOR A ONE-STORY COMMERCIAL BUILDING on 0.64 acres adjacent to the south side of Charleston Boulevard, approximately 275 feet west of Buffalo Drive (APN: 163-04-514-004), U (Undeveloped) Zone [SC (Service Commercial) General Plan Designation] under Resolution of Intent to C-1 (Limited Commercial) Zone, Ward 1 (Moncrief).

C.C.: 12/03/03

PROTESTS RECEIVED BEFORE:

Planning Commission Mtg.
City Council Meeting

0

APPROVALS RECEIVED BEFORE:

Planning Commission Mtg.
City Council Meeting

0

RECOMMENDATION:

Staff recommends APPROVAL.

BACKUP DOCUMENTATION:

1. Location Map
2. Conditions For This Application
3. Staff Report

MOTION:

DAVENPORT – APPROVED subject to conditions – UNANIMOUS

To be heard by the City Council on 12/3/2003

MINUTES:

CHAIRMAN TRUESDELL declared the Public Hearing open

GARY LEOBOLD, Planning and Development Department, advised that the proposed building represents the final undeveloped pad site in the Buffalo/Charleston Office Building Commercial Subdivision. The 9,250 square foot building is entitled for general retail uses and is compatible with adjacent and area development. The site plan was revised to address staff concerns with proposed waivers. As a result of the revisions, the building has been relocated away from Charleston to provide adequate buffer and landscaping area in the front. There is a 39-foot tower feature in the corner which

previously projected into the required front setback. A loading zone identified at the south end of the building had to be relocated as a result of the building shift. It is

PLANNING COMMISSION MEETING OF NOVEMBER 6, 2003
Planning and Development Department
Item 44 – SDR-3108

MINUTES – Continued:

now located to the right of the entrance. Although parking does not meet the minimum requirement, there is a parking agreement for the overall site which provides adequate parking for the project. Staff recommended approval.

BILL CROCKETT, 3131 Meade Avenue, appeared on behalf of the applicant and concurred with all conditions.

No one appeared in opposition.

There was no further discussion.

CHAIRMAN TRUESDELL declared the Public Hearing closed.

(11:00-11:03)

4-405

CONDITIONS:

Planning and Development

1. This Site Development Plan Review shall expire two years from date of final approval unless it is exercised or an Extension of Time is granted by the City Council.
2. Conformance to the Conditions of Approval for Rezoning (Z-0004-97) and all applicable conditions of approval of Site Development Plan Review [Z-0004-97(3)] which includes freestanding signage restrictions.
3. All development shall be in conformance with the site plan, building elevations, and landscape plan except as amended by conditions herein.
4. The site plan shall be revised and approved by Planning and Development Department staff, prior to the time application is made for a building permit, to reflect the deletion or relocation of the proposed ornamental tower to meet minimum setback standards without reducing the required on-site parking or required landscape planter areas.
5. The site plan shall be revised and approved by Planning and Development Department staff, prior to the time application is made for a building permit, to reflect conformance with Title 19.10.020, On-Site Loading Standards.

PLANNING COMMISSION MEETING OF NOVEMBER 6, 2003
Planning and Development Department
Item 44 – SDR-3108

CONDITIONS – Continued:

6. Prior to the submittal of a building permit, the applicant shall meet with Planning and Development Department staff to develop a comprehensive address plan for the subject site. A copy of the approved address plan shall be submitted with any future building permit applications related to the site.
7. The landscape plan shall be revised and approved by Planning and Development Department staff, prior to the time application is made for a building permit, to reflect a minimum of four five-gallon shrubs for each tree within provided planters.
8. Landscaping and a permanent underground sprinkler system shall be installed as required by the Planning Commission or City Council and shall be permanently maintained in a satisfactory manner. [Failure to properly maintain required landscaping and underground sprinkler systems shall be cause for revocation of a business license.]
9. A landscaping plan must be submitted prior to or at the same time application is made for a building permit.
10. All mechanical equipment, air conditioners and trash areas shall be fully screened in views from the abutting streets and neighboring properties. Trash enclosures are not required to contain roofs.
11. Parking lot lighting standards shall be no more than 20 feet in height and shall utilize ‘shoe-box’ fixtures and downward-directed lights. Wallpack lighting shall utilize ‘shoe-box’ fixtures and downward-directed lights on the proposed building. Non-residential property lighting shall be directed away from residential property or screened, and shall not create fugitive lighting on adjacent properties.
12. All utility boxes exceeding 27 cubic feet in size shall meet the standards of Municipal Code Section 19.12.050.
13. Any proposed property line wall shall be a decorative block wall, with at least 20 percent contrasting materials. Wall heights shall be measured from the side of the fence with the least vertical exposure above the finished grade, unless otherwise stipulated.

14. A fully operational fire protection system, including fire apparatus roads, fire hydrants and water supply, shall be installed and shall be functioning prior to construction of any combustible structures.

PLANNING COMMISSION MEETING OF NOVEMBER 6, 2003
Planning and Development Department
Item 44 – SDR-3108

CONDITIONS – Continued:

15. All City Code requirements and design standards of all City departments must be satisfied.

Public Works

16. Meet with the Traffic Engineering Representative in Land Development for assistance in the possible redesign of the proposed driveway access, on site circulation and parking lot layout prior to the submittal of any construction plans or the issuance of any permits, whichever may occur first. Driveways shall be designed, located and constructed in accordance with Standard Drawing #222A.
17. An update to the previously approved Drainage Plan and Technical Drainage Study must be submitted to and approved by the Department of Public Works prior to the issuance of any grading or building permits or submittal of any construction drawings, whichever may occur first. Provide and improve all drainageways as recommended in the approved drainage plan/study.
18. Obtain an Occupancy Permit from the Nevada Department of Transportation for all landscaping and private improvements in the Charleston Boulevard public right-of-way adjacent to this site prior to the issuance of any permits for work within Nevada Department of Transportation right-of-way.
19. Provide a copy of a recorded Joint Access and Parking Agreement between this site and the adjoining parcel to the southwest prior to the issuance of any permits.
20. Site development to comply with all applicable conditions of approval for the Buffalo-Charleston (A Commercial Subdivision), Zoning Reclassification Z-4-97 and all other subsequent site-related actions.

AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT

PLANNING COMMISSION MEETING OF: NOVEMBER 6, 2003

DEPARTMENT: PLANNING & DEVELOPMENT

DIRECTOR: ROBERT S. GENZER

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CONSENT

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DISCUSSION

SUBJECT:

SDR-3125 - STEPHEN E. TURNER ON BEHALF OF RAYMOND PISTOL - Request for a Site Development Plan Review and a reduction in the perimeter landscape buffer and parking lot landscaping FOR A PROPOSED TAVERN on 1.79 acres located at 1236 Las Vegas Boulevard South (APN:162-03-112-012), C-2 (General Commercial) Zone, Ward 1 (Moncrief).

P.C. FINAL ACTION

PROTESTS RECEIVED BEFORE:

Planning Commission Mtg.
City Council Meeting

2

APPROVALS RECEIVED BEFORE:

Planning Commission Mtg.
City Council Meeting

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RECOMMENDATION:

Staff recommends APPROVAL.

BACKUP DOCUMENTATION:

1. Location Map
2. Conditions For This Application
3. Staff Report

MOTION:

McSWAIN – APPROVED subject to conditions – Motion carried with EVANS and GOYNES voting NO and TRUESDELL abstaining because he owns property directly across the street

MINUTES:

VICE CHAIRMAN NIGRO declared the Public Hearing open

GARY LEOBOLD, Planning and Development Department, stated that the application for a special use permit for a tavern on this site was approved by the City Council on October 29, 2003. The site plan follows that special use permit, but is deficient with regard to perimeter landscaping along Las Vegas Boulevard. The plan also does not depict adequate parking lot landscaping or parking, despite available space for same. There are also deficiencies regarding the design of the handicapped stalls. There are conditions of approval that address the need for redesign to meet the City standards. The plan also reflects a gazebo to the rear of the tavern and the demolition of the motel. The intent as stipulated was to have alcohol service limited to the building and not take place in the gazebo or elsewhere on the site. Any expansion of the tavern services would require approval of additional special use permits. Staff recommended approval.

PLANNING COMMISSION MEETING OF NOVEMBER 6, 2003
Planning and Development Department
Item 45 – SDR-3125

MINUTES – Continued:

RAYMOND PISTOL, 631 Las Vegas Boulevard South, appeared on behalf of the applicant and concurred with all conditions.

COMMISSIONER McSWAIN noted that the rendering reflected an improvement over the building that exists on the site and she indicated her support of the project.

No one appeared in opposition.

There was no further discussion.

VICE CHAIRMAN declared the Public Hearing closed.

(11:03 - 11:12)

4-485

CONDITIONS:

Planning and Development

1. This Site Development Plan Review shall expire two years from date of final approval unless it is exercised or an Extension of Time is granted by the City Council.
2. All development shall be in conformance with the site plan and building elevations, except as amended by conditions herein.
3. The site plan/conceptual landscaping plan shall be revised and approved by Planning and Development Department staff, prior to the time application is made for a building permit, to reflect:
 - an adequate amount of parking for all uses on the site to meet or exceed parking requirements of the Code, and to adequately landscape the parking area to meet Code requirements.
 - roofing of the trash enclosure and the location of a loading zone on the site. If no loading zone is to be provided, the applicant must justify this request and indicate how deliveries will be made to the premises;
 - that the gazebos shown to the rear of the building are not considered part of this application with respect to use as a portion of the proposed Tavern;
 - landscaping to meet all standards of the Code, and

PLANNING COMMISSION MEETING OF NOVEMBER 6, 2003
Planning and Development Department
Item 45 – SDR-3125

CONDITIONS – Continued:

- Streetscape landscaping and improvements along the entire frontage of the site on Las Vegas Boulevard to meet the requirements of the Downtown Centennial Plan.
4. Prior to the submittal of a building permit, the applicant shall meet with Planning and Development Department staff to develop a comprehensive address plan for the subject site. A copy of the approved address plan shall be submitted with any future building permit applications related to the site.
 5. The landscape plan shall be revised and approved by Planning and Development Department staff, prior to the time application is made for a building permit, to reflect minimum 24-inch box trees planted a maximum of 20 feet on-center and a minimum of four five-gallon shrubs for each tree within provided planters.
 6. Landscaping and a permanent underground sprinkler system shall be installed as required by the Planning Commission or City Council and shall be permanently maintained in a satisfactory manner. [Failure to properly maintain required landscaping and underground sprinkler systems shall be cause for revocation of a business license.]
 7. A landscaping plan must be submitted prior to or at the same time application is made for a building permit.
 8. All mechanical equipment, air conditioners and trash areas shall be fully screened in views from the abutting streets.
 9. Parking lot lighting standards shall be no more than 20 feet in height and shall utilize 'shoe-box' fixtures and downward-directed lights. Wallpack lighting shall utilize 'shoe-box' fixtures and downward-directed lights on the proposed building. Non-residential property lighting shall be directed away from residential property or screened, and shall not create fugitive lighting on adjacent properties.
 10. All utility boxes exceeding 27 cubic feet in size shall meet the standards of Title 19.12.050.
 11. Any property line wall shall be a decorative block wall, with at least 20 percent contrasting materials. Wall heights shall be measured from the side of the fence with the least vertical exposure above the finished grade, unless otherwise stipulated.

PLANNING COMMISSION MEETING OF NOVEMBER 6, 2003
Planning and Development Department
Item 45 – SDR-3125

CONDITIONS – Continued:

12. A fully operational fire protection system, including fire apparatus roads, fire hydrants and water supply, shall be installed and shall be functioning prior to construction of any combustible structures.
13. All City Code requirements and design standards of all City departments must be satisfied.

Public Works

14. Dedicate an additional 10 feet of right-of-way for a total half-street width of 50 feet on Las Vegas Boulevard South adjacent to this site prior to occupancy of this site. This condition shall not be enforced if the applicant submits information acceptable to Staff that shows existing permanent signage or buildings located within the area being requested for dedication.
15. Remove all substandard public street improvements and unused driveway cuts adjacent to this site, if any, and replace with new improvements meeting current City Standards concurrent with development of this site. Driveways shall be designed, located and constructed in accordance with Standard Drawing #222a.
16. Meet with the Traffic Engineering Representative in Land Development for assistance in the possible redesign of the proposed driveway access, on site circulation and parking lot layout prior to the submittal of any construction plans or the issuance of any permits, whichever may occur first.
17. Landscape and maintain all unimproved right-of-way on Las Vegas Boulevard South adjacent to this site.
18. Submit an Encroachment Agreement for any landscaping and private improvements in the Las Vegas Boulevard public right-of-way adjacent to the site prior to the issuance of any permits.
19. Meet with the Flood Control Section of the Department of Public Works for assistance in establishing finished floor elevations and drainage pathways required for this site, prior to the issuance of any building or grading permits or submittal of any construction drawings, whichever may occur first.

AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT

PLANNING COMMISSION MEETING OF: NOVEMBER 6, 2003

DEPARTMENT: PLANNING & DEVELOPMENT

DIRECTOR: ROBERT S. GENZER

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CONSENT

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DISCUSSION

SUBJECT:

SDR-3132 - ANTHONY L. POLLARD FOUNDATION ON BEHALF OF ANTHONY & DIANE POLLARD - Request for a Site Development Plan Review FOR A PRIVATE SCHOOL, PRIMARY on 1.34 acres adjacent to the northwest corner of Lake Mead Boulevard and La Salle Street (APN:139-21-612-053 thru 055 and 139-21-612-074 thru 079), R-2 (Medium-Low Density Residential) Zone, Ward 5 (Weekly).

C.C.: 12/03/03

PROTESTS RECEIVED BEFORE:

**Planning Commission Mtg.
City Council Meeting**

0

APPROVALS RECEIVED BEFORE:

**Planning Commission Mtg.
City Council Meeting**

0

RECOMMENDATION:

Staff recommends APPROVAL.

BACKUP DOCUMENTATION:

1. Location Map
2. Conditions For This Application
3. Staff Report

MOTION:

GOYNES – APPROVED subject to conditions – UNANIMOUS

To be heard by the City Council on 12/3/2003

NOTE: COMMISSIONER McSWAIN disclosed her history in working with MR. GREEN on a non-profit building for SafeNest. She no longer serves on that Board and indicated her comfort with voting on the application. She added that MR. GREEN'S involvement will ensure that this is an excellent project.

MINUTES:

CHAIRMAN TRUESDELL declared the Public Hearing open

PLANNING COMMISSION MEETING OF NOVEMBER 6, 2003
Planning and Development Department
Item 46 – SDR-3132

MINUTES – Continued:

GARY LEOBOLD, Planning and Development Department, indicated that the site plan reflects a 12,000 plus square foot private primary school with the 43 parking spaces accessed from Lake Mead Boulevard. The play areas are located on the north part of the site. The southern portion of the site, up to the halfway mark, is located within the Las Vegas Redevelopment Plan area, but the northern portion is not. Residential adjacent standards apply to the northern portion and not to the parking within the Redevelopment Plan area. Potential issues were worked out with the applicant so that the site plan complies with those requirements. The minor landscaping deficiency along the western edge of the northern portion of the site has been addressed by a condition requiring placement of five or six trees in the area. Staff recommended approval.

MEL GREEN, 3305 West Spring Mountain Road, Suite #92, appeared on behalf of the applicant and concurred with all conditions. The deficiency has been corrected and the additional trees have been provided.

No one appeared in opposition.

There was no further discussion.

CHAIRMAN TRUESDELL declared the Public Hearing closed.

(11:12 - 11:15)

4-586

CONDITIONS:

Planning and Development

1. Pursuant to LVMC 19.04.040, adequate pick-up and drop-off areas shall be provided on-site.
2. This Site Development Plan Review shall expire two years from date of final approval unless it is exercised or an Extension of Time is granted by the City Council.
3. All development shall be in conformance with the site plan and building elevations, except as amended by conditions herein.
4. Prior to the submittal of a building permit, the applicant shall meet with Planning and Development Department staff to develop a comprehensive address plan for the subject site. A copy of the approved address plan shall be submitted with any future building permit applications related to the site.

PLANNING COMMISSION MEETING OF NOVEMBER 6, 2003
Planning and Development Department
Item 46 – SDR-3132

CONDITIONS– Continued:

5. The landscape plan shall be revised and approved by Planning and Development Department staff, prior to the time application is made for a building permit, to reflect the addition of required perimeter landscaping along the east property line on the northern portion of the site.
6. The elevations shall be revised and approved by Planning and Development Department staff, prior to the time application is made for a building permit, to depict wall and sign elevations.
7. Landscaping and a permanent underground sprinkler system shall be installed as required by the Planning Commission or City Council and shall be permanently maintained in a satisfactory manner. [Failure to properly maintain required landscaping and underground sprinkler systems shall be cause for revocation of a business license.]
8. A landscaping plan must be submitted prior to or at the same time application is made for a building permit.
9. All mechanical equipment, air conditioners and trash areas shall be fully screened in views from the abutting streets.
10. Parking lot lighting standards shall be no more than 20 feet in height and shall utilize ‘shoe-box’ fixtures and downward-directed lights. Wallpack lighting shall utilize ‘shoe-box’ fixtures and downward-directed lights on the proposed building. Non-residential property lighting shall be directed away from residential property or screened, and shall not create fugitive lighting on adjacent properties.
11. A Master Sign Plan shall be submitted for approval of the Planning Commission or City Council prior to the issuance of a Certificate of Occupancy for any building on the site.
12. All utility boxes exceeding 27 cubic feet in size shall meet the standards of Municipal Code Section 19.12.050.
13. Any property line wall shall be a decorative block wall, with at least 20 percent contrasting materials. Wall heights shall be measured from the side of the fence with the least vertical exposure above the finished grade, unless otherwise stipulated.

PLANNING COMMISSION MEETING OF NOVEMBER 6, 2003
Planning and Development Department
Item 46 – SDR-3132

CONDITIONS– Continued:

14. A fully operational fire protection system, including fire apparatus roads, fire hydrants and water supply, shall be installed and shall be functioning prior to construction of any combustible structures.
15. Meet with the Fire Protection Engineering Section of the Department of Fire Services prior to submittal of a Tentative Map for this site. The Design and layout of all onsite private circulation and access drives shall meet the approval of the Department of Fire Services.
16. All City Code requirements and design standards of all City departments must be satisfied

Public Works

17. Coordinate with the City Surveyor to determine whether a Reversionary Map or other map is necessary for this Site Development Review; if such map is required it should record prior to the issuance of any building permits for this site.
18. Dedicate a 15-foot radius on the southwest corner of Hart Avenue and LaSalle Street and dedicate an additional 5 feet of right-of-way for a total radius of 25 feet on the northwest corner of LaSalle Street and Lake Mead Boulevard prior to the issuance of any permits.
19. Remove all substandard public street improvements and unused driveway cuts adjacent to this site, if any, and replace with new improvements meeting current City Standards concurrent with development of this site.
20. Landscape and maintain all unimproved rights-of-way on Hart Avenue and LaSalle Street adjacent to this site.
21. Submit an Encroachment Agreement for all landscaping and private improvements located in the Hart Avenue, LaSalle Street public rights-of-way adjacent to this site prior to occupancy of this site.
22. Meet with the Traffic Engineering Representative in Land Development for assistance in the possible redesign of the proposed driveway access, on site circulation and parking lot layout prior to the submittal of any construction plans or the issuance of any permits, whichever may occur first. Any new or modifications to existing driveways shall be designed, located and constructed in accordance with Standard Drawing #222a.

PLANNING COMMISSION MEETING OF NOVEMBER 6, 2003
Planning and Development Department
Item 46 – SDR-3132

CONDITIONS– Continued:

23. A Traffic Impact Analysis must be submitted to and approved by the Department of Public Works prior to the issuance of any building or grading permits, submittal of any construction drawings. Comply with the recommendations of the approved Traffic Impact Analysis prior to occupancy of the site. The City shall determine area traffic mitigation contribution requirements based upon information provided in the approved Traffic Impact Analysis; such monies shall be contributed prior to the issuance of any permits for this site. The Traffic Impact Analysis shall also include a section addressing Standard Drawings #234.1 #234.2 and #234.3 to determine additional right-of-way requirements for bus turnouts adjacent to this site, if any; dedicate all areas recommended by the approved Traffic Impact Analysis. All additional rights-of-way required by Standard Drawing #201.1 for exclusive right turn lanes and dual left turn lanes shall be dedicated prior to or concurrent with the commencement of on-site development activities unless specifically noted as not required in the approved Traffic Impact Analysis. If additional rights-of-way are not required and Traffic Control devices are or may be proposed at this site outside of the public right-of-way, all necessary easements for the location and/or access of such devices shall be granted prior to the issuance of permits for this site. Phased compliance will be allowed if recommended by the approved Traffic Impact Analysis. No recommendation of the approved Traffic Impact Analysis, nor compliance therewith, shall be deemed to modify or eliminate any condition of approval imposed by the Planning Commission or the City Council on the development of this site.

Alternatively, in lieu of a Traffic Impact Analysis, the applicant may participate in a reasonable alternative mutually acceptable to the applicant and the Department of Public Works.

24. Meet with the Flood Control Section of the Department of Public Works for assistance in establishing finished floor elevations and drainage pathways required for this site, prior to the issuance of any building or grading permits or submittal of any construction drawings, whichever may occur first.

AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT

PLANNING COMMISSION MEETING OF: NOVEMBER 6, 2003

DEPARTMENT: PLANNING & DEVELOPMENT

DIRECTOR: ROBERT S. GENZER

☐

CONSENT

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DISCUSSION

SUBJECT:

SDR-3139 - COMMUNITY COLLEGE OF SOUTHERN NEVADA ON BEHALF OF UNIVERSITY BOARD OF REGENTS - Request for a Site Development Plan Review FOR A 30,000 SQUARE FOOT COMMUNITY COLLEGE FACILITY on 30.99 acres adjacent to the northeast corner of Torrey Pines Drive and Oakey Boulevard (APN:163-02-601-001), C-V (Civic) Zone, Ward 1 (Moncrief).

C.C.: 12/03/03

PROTESTS RECEIVED BEFORE:

**Planning Commission Mtg.
City Council Meeting**

0

APPROVALS RECEIVED BEFORE:

**Planning Commission Mtg.
City Council Meeting**

0

RECOMMENDATION:

Staff recommends APPROVAL.

BACKUP DOCUMENTATION:

1. Location Map
2. Conditions For This Application
3. Staff Report

MOTION:

NIGRO – APPROVED subject to conditions and deleting Conditions 3 and 16 – **UNANIMOUS** with EVANS abstaining because Community College is an entity of the State

This is Final Action.

MINUTES:

CHAIRMAN TRUESDELL declared the Public Hearing open

GARY LEOBOLD, Planning and Development Department, stated that this 32,000 square foot facility will act as a working rehabilitation and therapy center for brain injury persons as well as provide a learning environment for students in the Physical and Occupational Therapy Departments of the College. As the state facility will not go through City permitting processes and the parking area on the west side

of the project is temporary to be reconfigured as surrounding parts of the campus develop, staff recommended Condition #3 be deleted. Staff also recommended final action of the application.

PLANNING COMMISSION MEETING OF NOVEMBER 6, 2003
Planning and Development Department
Item 47 – SDR-3139

MINUTES – Continued:

SHERRY PAINE, College Architect, Community College of Southern Nevada, 6375 West Charleston, appeared on behalf of the applicant. She raised a concern with Condition #16 regarding half-street improvements to Torrey Pines Drive. A portion of that street is currently not improved and, in the past, the College has improved Torrey Pines as the buildings develop. The College would like to continue that trend, especially as they are beginning their master plan for the building out of the southern portion of the site. There have been discussions with staff regarding an appropriate period of time before such half-street improvements take place.

CHAIRMAN TRUESDELL questioned a potential sawtooth problem in the area and expressed a concern about ensure a safe environment around the Community College. BART ANDERSON, Public Works, clarified that the roadway exists and is used by traffic. The easternmost portion of the street consists of overpaving. Staff would like to see the problem resolved, but concurred that the building proposed is sufficiently interior to the site to justify deferring the half-street improvements. The pattern described by MS. PAINE should be acceptable. Staff would like a master plan for the site in order to establish a timeline for the improvements and would agree to waiving Condition #16 subject to a verbal commitment that such a plan be submitted. MS. PAINE made the commitment but could not identify when the plan would be submitted. MR. ANDERSON commented that the verbal commitment of another governmental entity was sufficient. CHAIRMAN TRUESDELL requested that the master plan be presented to the Planning Commission as well as staff.

No one appeared in opposition.

There was no further discussion.

CHAIRMAN TRUESDELL declared the Public Hearing closed.

(11:15 – 11:17)

4-668

CONDITIONS:

Planning and Development

1. This Site Development Plan Review shall expire two years from date of final approval unless it is exercised or an Extension of Time is granted by the City Council.
2. All development shall be in conformance with the site plan and building elevations, except as amended by conditions herein.

PLANNING COMMISSION MEETING OF NOVEMBER 6, 2003
Planning and Development Department
Item 47 – SDR-3139

CONDITIONS– Continued:

3. The conceptual landscape plan shall be revised and approved by Planning and Development Department staff, prior to the time application is made for a building permit, to reflect the provision of a sufficient amount of parking lot landscaping to meet Code requirements.
4. Prior to the submittal of a building permit, the applicant shall meet with Planning and Development Department staff to develop a comprehensive address plan for the subject site. A copy of the approved address plan shall be submitted with any future building permit applications related to the site.
5. The landscape plan shall be revised and approved by Planning and Development Department staff, prior to the time application is made for a building permit, to reflect minimum 24-inch box trees planted a maximum of 20 feet on-center and a minimum of four five-gallon shrubs for each tree within provided planters.
6. Landscaping and a permanent underground sprinkler system shall be installed as required by the Planning Commission or City Council and shall be permanently maintained in a satisfactory manner. [Failure to properly maintain required landscaping and underground sprinkler systems shall be cause for revocation of a business license.]
7. A landscaping plan must be submitted prior to or at the same time application is made for a building permit.
8. All mechanical equipment, air conditioners and trash areas shall be fully screened in views from the abutting streets.
9. Parking lot lighting standards shall be no more than 20 feet in height and shall utilize ‘shoe-box’ fixtures and downward-directed lights. Wallpack lighting shall utilize ‘shoe-box’ fixtures and downward-directed lights on the proposed building. Non-residential property lighting shall be directed away from residential property or screened, and shall not create fugitive lighting on adjacent properties.
10. A Master Sign Plan shall be submitted for approval of the Planning Commission or City Council prior to the issuance of a Certificate of Occupancy for any building on the site.
11. All utility boxes exceeding 27 cubic feet in size shall meet the standards of Title 19.12.050.

12. Any property line wall shall be a decorative block wall, with at least 20 percent contrasting materials. Wall heights shall be measured from the side of the fence with the least vertical exposure above the finished grade, unless otherwise stipulated.

PLANNING COMMISSION MEETING OF NOVEMBER 6, 2003
Planning and Development Department
Item 47 – SDR-3139

CONDITIONS– Continued:

13. A fully operational fire protection system, including fire apparatus roads, fire hydrants and water supply, shall be installed and shall be functioning prior to construction of any combustible structures.
14. All City Code requirements and design standards of all City departments must be satisfied.

Public Works

15. A Drainage Plan and Technical Drainage Study must be submitted to and approved by the Department of Public Works prior to the issuance of any building or grading permits, submittal of any construction drawings or the recordation of a Map subdividing this site, whichever may occur first. Provide and improve all drainageways recommended in the approved drainage plan/study. The developer of this site shall be responsible to construct such neighborhood or local drainage facility improvements as are recommended by the City of Las Vegas Neighborhood Drainage Studies and approved Drainage Plan/Study concurrent with development of this site. In lieu of constructing improvements, in whole or in part, the developer may agree to contribute monies for the construction of neighborhood or local drainage improvements, the amount of such monies shall be determined by the approved Drainage Plan/Study and shall be contributed prior to the issuance of any building or grading permits, or the recordation of a Map subdividing this site, whichever may occur first, if allowed by the City Engineer.
16. Construct incomplete half-street improvements on Torrey Pines Drive adjacent to this site concurrent with development of this site. All existing paving damaged or removed by this development shall be restored at its original location and to its original width concurrent with development of this site.
17. Remove all substandard public street improvements, if any, adjacent to this site and replace with new improvements meeting current City Standards concurrent with on-site development activities.
18. Site development to comply with all applicable conditions of approval for Z-89-87 and all other subsequent site-related actions.

AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT

PLANNING COMMISSION MEETING OF: NOVEMBER 6, 2003

DEPARTMENT: PLANNING & DEVELOPMENT

DIRECTOR: ROBERT S. GENZER

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CONSENT

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DISCUSSION

SUBJECT:

TXT-3227 - CITY OF LAS VEGAS - Discussion and possible action to amend Title 19.04.040 to change the mixed use section to also be applicable to the Neighborhood Revitalization Area as adopted in the Las Vegas Master Plan 2020 (Ord. 2000-62).

THIS ITEM WILL BE FORWARDED TO CITY COUNCIL IN ORDINANCE FORM

PROTESTS RECEIVED BEFORE:

**Planning Commission Mtg.
City Council Meeting**

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APPROVALS RECEIVED BEFORE:

**Planning Commission Mtg.
City Council Meeting**

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RECOMMENDATION:

Staff recommends APPROVAL.

BACKUP DOCUMENTATION:

1. Location Map (Not Applicable)
2. Conditions For This Application
3. Staff Report

MOTION:

NIGRO – APPROVED subject to conditions – UNANIMOUS

To be forwarded to the City Council in Ordinance Form

MINUTES:

CHAIRMAN TRUESDELL declared the Public Hearing open

MARGO WHEELER, Deputy Director, Planning and Development Department, explained the text amendment will change the area where mixed use development is allowed. She referred the Commission to the map to identify areas where mixed use is currently permitted. Expanding that area would be consistent with the adopted Neighborhood Revitalization Area in the Master Plan 2020. The Master Plan 2020 specifically speaks to mixed use as part of the policies of that plan adopted in 2000. Staff believes those policies and the code as currently written make mixed use appropriate subject to a special use permit in the areas shown on the map.

PLANNING COMMISSION MEETING OF NOVEMBER 6, 2003
Planning and Development Department
Item 48 – TXT-3227

CONDITIONS– Continued:

TODD FARLOW, 240 North 19th Street, pointed out that the numbers are off.

No one appeared in opposition.

There was no further discussion.

CHAIRMAN TRUESDELL declared the Public Hearing closed.

(11:15 - 11:20)

4-924

CONDITIONS:

1. The first sentence of Title 19.04.050.B, “Mixed Use” is hereby amended to read as follows:

*1 Within the Neighborhood Revitalization Area as adopted in the Las Vegas 2020 Master Plan as established by Ordinance No. 2000-62 ~~within the Downtown Las Vegas Redevelopment Area as established by Ordinance No. 3218 and amended from time to time:~~

AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT

PLANNING COMMISSION MEETING OF: NOVEMBER 6, 2003

DEPARTMENT: PLANNING & DEVELOPMENT

DIRECTOR: ROBERT S. GENZER

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CONSENT

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DISCUSSION

SUBJECT:

TXT-3242 - CITY OF LAS VEGAS - Discussion and possible action to amend the following portions of Title 19 of the Las Vegas Zoning Code: Title 19.04.010, Table 2 "Land Use Tables;" Title 19.04.040(C), "Conditions;" and Title 19.20.020, "Words and Terms Defined."

THIS ITEM WILL BE FORWARDED TO CITY COUNCIL IN ORDINANCE FORM

PROTESTS RECEIVED BEFORE:

Planning Commission Mtg.
City Council Meeting

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APPROVALS RECEIVED BEFORE:

Planning Commission Mtg.
City Council Meeting

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RECOMMENDATION:

Staff recommends APPROVAL.

BACKUP DOCUMENTATION:

1. Location Map (Not Applicable)
2. Conditions For This Application
3. Staff Report

MOTION:

NIGRO – APPROVED subject to conditions – UNANIMOUS

To be forwarded to the City Council in Ordinance Form

NOTE: CHAIRMAN TRUESDELL and VICE CHAIR NIGRO disclosed that they are a licensed real estate brokers in the State of Nevada but since they have no intention of ever being involved in a temporary real estate office, they would vote on the application

MINUTES:

CHAIRMAN TRUESDELL declared the Public Hearing open

MARGO WHEELER, Deputy Director, Planning and Development Department, outlined the impact of mixed use zones, particularly with temporary real estate offices which will be requested in commercial zones. In commercial zones, the trigger of the tentative map is not appropriate since the lots are already subdivided and the type of development is rental or subdivision of air rights for condominium purposes.

Staff is requesting the change in the text to allow temporary real estate office, subject to conditions, in commercial zones.

PLANNING COMMISSION MEETING OF NOVEMBER 6, 2003
Planning and Development Department
Item 49 – TXT-3242

MINUTES – Continued:

COMMISSIONER McSWAIN questioned the problems experienced by the City which resulted in this proposed text amendment. MS. WHEELER clarified that the code does not allow for the locating of a temporary real estate office on commercial property. As a permitted use in residential zoning, it is prohibited in commercial zoning as a result of not being included as a permitted use. ROBERT GENZER, Director, Planning and Development Department, added that in the past staff has required a site development plan review application in order to locate such an office on a commercial site. This will eliminate that process.

No one appeared in opposition.

There was no further discussion.

CHAIRMAN TRUESDELL declared the Public Hearing closed.

(11:20 - 11:23)

4-1013

CONDITIONS:

- Title 19.04.010, Table 2 "Land Use Tables," is hereby amended to include the following:

RESIDENTIAL												PERMITTED USES	COMMERCIAL						INDUSTRIAL		
U	R- A	R- E	R- D	R- 1	R- CL	R- 2	R- 3	R- 4	R- 5	R- MH	R- MHP	TEMPORARY USES	P- R	N- S	O	C- D	C- 1	C- 2	C- PB	C- M	M
C	C	C	C	C	C	C	C	C	C	C	C	Temporary Real Estate Sales Office	P C	P C	P C	C C	P C	P C		P C	P C

- Title 19.04.040(C), "Conditions," is hereby amended as follows:

TEMPORARY REAL ESTATE SALES OFFICE [~~ALL RESIDENTIAL DISTRICTS~~]

- For sales in residential districts, the Temporary Real Estate Sales Office shall be located within the subdivision in which the model home is located. A Temporary Real Estate Sales Office shall not be permitted for developments in residential districts until a Final Map has been recorded. For sales in commercial and industrial districts, the Temporary Real Estate Sales Office may be located in a trailer on an undeveloped lot, or in an existing commercial structure. A Certificate of Occupancy for the office shall not be issued until a Site Development Plan has been approved for the development.

PLANNING COMMISSION MEETING OF NOVEMBER 6, 2003
Planning and Development Department
Item 49 – TXT-3242

CONDITIONS– Continued:

- ~~4.2.~~ If the temporary real estate sales office is a model home, the use shall expire two years from the date of building permit approval or whenever sales are completed, whichever occurs first. If the temporary real estate sales office is a trailer, the use shall expire six months from the date of approval by the Department of Building and Safety.
 - ~~2.3.~~ Upon termination of the use, all temporary access improvements from this site to the abutting street(s) shall be removed and replaced with permanent access improvements that meet all City standards, as required by the Department of Public Works.
 - ~~3.4.~~ Pursuant to LVMC 18.12.310, direct vehicular access from primary and secondary street(s) through the back of bordering lots is prohibited unless approval is granted by the Director of Planning and Development.
 - ~~4.5.~~ All development must be in conformance with the submitted plot plan and floor plan.
 - ~~5.6.~~ Any signage for this use must first be approved in writing by the Planning and Development Department.
 - ~~6.7.~~ A minimum of five paved on-site parking spaces shall be provided, and the spaces provided shall be in compliance with ADA parking requirements and Title 19.10. In commercial and industrial districts, on-street parking spaces may be utilized to satisfy this requirement upon approval by the Planning and Development Department, provided the five on-street spaces directly abut the lot on which the Temporary Real Estate Sales Office is located.
3. Title 19.20.020, "Words and Terms Defined," is hereby amended as follows:

Temporary Real Estate Sales Office. An office operating at a fixed location within an existing model home, commercial structure or trailer which is used temporarily for the purpose of ~~home~~ sales within the subdivision in which the model home or trailer is located real estate sales.

AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT

PLANNING COMMISSION MEETING OF: NOVEMBER 6, 2003

DEPARTMENT: PLANNING & DEVELOPMENT

DIRECTOR: ROBERT S. GENZER

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CONSENT

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DISCUSSION

SUBJECT:

TXT-3244 - CITY OF LAS VEGAS - Discussion and possible action to amend the following portions of Title 19 of the Las Vegas Zoning Code relative to Light Machinery and Equipment Rental in the C-1 and C-2 districts: Title 19.04.010, Table 2 "Land Use Tables;" Title 19.04.040(C), "Conditions;" and Title 19.20.020, "Words and Terms Defined."

THIS ITEM WILL BE FORWARDED TO CITY COUNCIL IN ORDINANCE FORM

PROTESTS RECEIVED BEFORE:

**Planning Commission Mtg.
City Council Meeting**

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APPROVALS RECEIVED BEFORE:

**Planning Commission Mtg.
City Council Meeting**

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RECOMMENDATION:

Staff recommends APPROVAL.

BACKUP DOCUMENTATION:

1. Location Map (Not Applicable)
2. Conditions For This Application
3. Staff Report

MOTION:

NIGRO – APPROVED subject to conditions – UNANIMOUS

To be forwarded to the City Council in Ordinance Form

MINUTES:

CHAIRMAN TRUESDELL declared the Public Hearing open

MARGO WHEELER, Deputy Director, Planning and Development Department, clarified that the use is being recommended as a conditional use permit within C-1, C-2, C-M and M zoning. This is an allowance for an accessory use in conjunction with a principal use such as a home center or large hardware/home improvement centers of 85,000 square feet or more. The tool and machinery rental could be no more than 10% of the total square footage, be within a completely enclosed yard, be screened from public streets and adjacent properties and includes poundage limits. CHAIRMAN

TRUESDALL noted that the poundage limits restrict the size of the equipment, prohibiting large cranes or similar commercial equipment.

PLANNING COMMISSION MEETING OF NOVEMBER 6, 2003
Planning and Development Department
Item 50 – TXT-3244

MINUTES – Continued:

COMMISSIONER McSWAIN confirmed with MS. WHEELER that while commercial businesses may rent the equipment, the equipment could not be commercial in nature.

No one appeared in opposition.

There was no further discussion.

CHAIRMAN TRUESDELL declared the Public Hearing closed.

(11:23 - 11:25)

4-1097

CONDITIONS:

- Title 19.04.010, Table 2 “Land Use Tables,” is hereby amended to include the following:

RESIDENTIAL												PERMITTED USES	COMMERCIAL						INDUSTRIAL		
U	R- A	R- E	R- D	R- 1	R- CL	R- 2	R- 3	R- 4	R- 5	R- MH	R- MHP	COMMERCIAL & BUSINESS SERVICES	P- R	N- S	O	C- D	C- 1	C- 2	C- PB	C- M	M
												<u>Light Machinery & Equipment</u>					<u>C</u>	<u>C</u>		<u>P</u>	<u>P</u>

- Title 19.04.040(C), “Conditions,” is hereby amended to include the following:

LIGHT MACHINERY & EQUIPMENT [C-1, C-2]

- Tool, equipment and machinery rental operations shall be an accessory use only, and must be operated in conjunction with an indoor principal use greater than 85,000 square feet that is permitted within the zoning district.
- Tool, equipment and machinery rental operations shall occupy no more than 10% of the total square footage of the indoor principal use.
- Tool, equipment and machinery rental operations shall have direct access to the principal use, and may have an independent customer entrance.
- Items available for rental may be stored outside the principal building provided any outside storage must be within a completely enclosed yard and screened from view of public streets and adjacent property.

PLANNING COMMISSION MEETING OF NOVEMBER 6, 2003
Planning and Development Department
Item 50 – TXT-3244

MINUTES – Continued:

5. No items shall be stacked or piled above the height of the screen wall or enclosure.
 6. No items available for rental shall be stored or displayed at the exterior of the principal building.
 7. There shall be no items over 1,000 pounds available for rental.
 8. There shall be no more than five units of any one item that weighs more than 800 pounds but less than 1,000 pounds available for rental.
3. Title 19.20.020, “WORDS AND TERMS DEFINED,” is hereby amended to include the following:

Light Machinery & Equipment (Rental, Sales & Service). A facility for the display, sale and rental of tools, hardware equipment and materials, garden and lawn equipment, and low-level equipment such as those used for residential improvements or repair. The term includes ladders, scaffolding, tillers, and trenchers. The term does not include heavy machinery, dump trucks, front end loaders, commercial equipment or commercial vehicles such as those used in building construction, farming, commercial uses or manufacturing. Also, the term does not include more intense commercially-rated vehicles which are required to comply with the Nevada Department of Motor Vehicles (DMV) regulations for licensing purposes.



PLANNING COMMISSION AGENDA
PLANNING COMMISSION MEETING OF: NOVEMBER 6, 2003

CITIZENS PARTICIPATION:

ITEMS RAISED UNDER THIS PORTION OF THE PLANNING COMMISSION AGENDA CANNOT BE ACTED UPON BY THE PLANNING COMMISSION UNTIL THE NOTICE PROVISIONS OF THE OPEN MEETING LAW HAVE BEEN COMPLIED WITH. THEREFORE, ACTION ON SUCH ITEMS WILL HAVE TO BE CONSIDERED AT A LATER TIME.

MINUTES:

TODD FARLOW, 240 North 19th Street, protested that MR. GALLEGOS' comments to Item #25 about forwarding applications to Council without recommendation was incorrect. It is the Commission's job to make recommendations. The Commissioners should attend the UNLV lectures on sustainable architecture. He credited COMMISSIONER GOYNES as the only Commissioner who attended. He outlined the public's difficulty in reaching the Commissioners.

(11:25-11:26)

4-1206

MEETING ADJOURNED AT 11:26 P.M.

Respectfully submitted:

DIANA DAVIS, DEPUTY CITY CLERK

DEENY ARAUJO, DEPUTY CITY CLERK